



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 10, 2011

House Concurrent Resolution 1 - Introduced

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY PAULSEN and McCARTHY

1 1 A Concurrent Resolution to provide for a joint  
1 2 convention.  
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
1 4 SENATE CONCURRING, That a joint convention of the two  
1 5 houses of the 2011 session of the Eighty=fourth General  
1 6 Assembly be held on Monday, January 10, 2011, at 2:00  
1 7 p.m.; and  
1 8 BE IT FURTHER RESOLVED, That at this joint  
1 9 convention the votes for Governor and Lieutenant  
1 10 Governor be canvassed and the results announced and  
1 11 recorded as provided by law.; and  
1 12 BE IT FURTHER RESOLVED, That Governor Chester J.  
1 13 Culver be invited to deliver his condition of the  
1 14 state message at a joint convention of the two houses  
1 15 of the General Assembly on Tuesday, January 11, 2011,  
1 16 at 10:00 a.m., and that the Speaker of the House of  
1 17 Representatives and the President of the Senate be  
1 18 designated to extend the invitation to him.

LSB 1669HQ (3) 84



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## House Concurrent Resolution 2 - Introduced

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY PAULSEN and McCARTHY

1 1 A Concurrent Resolution relating to the appointment of  
1 2 a joint inaugural committee.  
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
1 4 THE SENATE CONCURRING, That a joint committee be  
1 5 designated, consisting of six members of the House of  
1 6 Representatives to be appointed by the Speaker of the  
1 7 House, and six members of the Senate to be appointed  
1 8 by the President of the Senate, to arrange for the  
1 9 inauguration of the Governor and Lieutenant Governor.  
LSB 1671HQ (4) 84



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**House Concurrent Resolution 3 - Introduced**

PAG LIN

HOUSE CONCURRENT RESOLUTION NO.

BY PAULSEN and McCARTHY

1 1 A Concurrent Resolution to provide for a joint  
1 2 convention.

1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
1 4 SENATE CONCURRING, That a joint convention of the two  
1 5 houses of the 2011 session of the Eighty=fourth General  
1 6 Assembly be held on Wednesday, January 12, 2011, at  
1 7 10:00 a.m.; and

1 8 BE IT FURTHER RESOLVED, That Chief Justice Mark Cady  
1 9 be invited to present his message of the condition of  
1 10 the judicial branch at this convention, and recommend  
1 11 such matters as the Chief Justice deems expedient,  
1 12 pursuant to section 602.1207 of the Code.

LSB 1670HQ (3) 84



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**House Concurrent Resolution 4 - Introduced**

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HOUSE CONCURRENT RESOLUTION NO.

BY PAULSEN and McCARTHY

1 1 A Concurrent Resolution to provide for a joint  
1 2 convention.  
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
1 4 SENATE CONCURRING, That a joint convention of the two  
1 5 houses of the 2011 session of the Eighty=fourth General  
1 6 Assembly be held on Thursday, January 27, 2011, at  
1 7 10:00 a.m.; and  
1 8 BE IT FURTHER RESOLVED, That Governor Terry E.  
1 9 Branstad be invited to deliver his budget message  
1 10 at this joint convention of the two houses of the  
1 11 General Assembly, and that the Speaker of the House  
1 12 of Representatives and the President of the Senate be  
1 13 designated to extend the invitation to him.  
LSB 1672HQ (4) 84



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## House Resolution 1 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY KAUFMANN

1 1 A Resolution for the selection and appointment of  
1 2 secretaries and pages.  
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
1 4 each member of the House of Representatives shall be  
1 5 entitled to select and appoint a secretary, and such  
1 6 secretary may be called upon to aid in the discharge of  
1 7 the clerical work of the House of Representatives. The  
1 8 Speaker and Chief Clerk shall appoint their secretaries  
1 9 and pages to serve for the session, and the Chief Clerk  
1 10 is hereby authorized to employ such additional clerical  
1 11 assistance as his duties may require.

LSB 1667HQ (2) 84



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## House Resolution 2 - Introduced

PAG LIN

HOUSE RESOLUTION NO.

BY RAYHONS

1 1 A Resolution to arrange for opening the sessions with  
1 2 prayer.  
1 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
1 4 a committee of one be appointed to arrange for opening  
1 5 the sessions with prayer.  
LSB 1668HQ (2) 84



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## House Study Bill 1

HOUSE FILE

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON RAECKER)

### A BILL FOR

1 An Act relating to public funding and regulatory matters and  
2 making, reducing, and transferring appropriations and  
3 revising fund amounts and including effective, retroactive,  
4 and other applicability date provisions, and making  
5 penalties applicable.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1319YC (53) 84

tm/jp



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House Study Bill 1 continued

PAG LIN

1 1 DIVISION I  
1 2 TAX RELIEF FUND  
1 3 Section 1. Section 8.55, subsection 2, Code 2011, is amended  
1 4 to read as follows:  
1 5 2. a. The maximum balance of the fund is the amount equal  
1 6 to two and one-half percent of the adjusted revenue estimate  
1 7 for the fiscal year. If the amount of moneys in the Iowa  
1 8 economic emergency fund is equal to the maximum balance, moneys  
1 9 in excess of this amount shall be transferred to the ~~general~~  
1 10 ~~tax relief fund.~~  
1 11 b. Notwithstanding paragraph "a", any moneys in excess of  
1 12 the maximum balance in the economic emergency fund after the  
1 13 distribution of the surplus in the general fund of the state  
1 14 at the conclusion of each fiscal year shall not be transferred  
1 15 to the ~~general tax relief fund of the state~~ but shall be  
1 16 transferred to the senior living trust fund. The total amount  
1 17 appropriated, reverted, or transferred, in the aggregate, under  
1 18 this paragraph, section 8.57, subsection 2, and any other law  
1 19 providing for an appropriation or reversion or transfer of an  
1 20 appropriation to the credit of the senior living trust fund,  
1 21 for all fiscal years beginning on or after July 1, 2004, shall  
1 22 not exceed the amount specified in section 8.57, subsection 2,  
1 23 paragraph "c".  
1 24 Sec. 2. NEW SECTION. 8.57E Tax relief fund.  
1 25 1. The tax relief fund is created. The fund shall be  
1 26 separate from the general fund of the state and the balance in  
1 27 the fund shall not be considered part of the balance of the  
1 28 general fund of the state. The moneys credited to the fund  
1 29 are not subject to section 8.33 and shall not be transferred,  
1 30 used, obligated, appropriated, or otherwise encumbered except  
1 31 as provided in this section.  
1 32 2. Moneys in the tax relief fund shall only be used as  
1 33 pursuant to appropriations made by the general assembly to  
1 34 reduce taxes.  
1 35 3. a. Moneys in the fund may be used for cash flow purposes





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House Study Bill 1 continued

2 1 during a fiscal year provided that any moneys so allocated are  
2 2 returned to the fund by the end of that fiscal year.

2 3 b. Except as provided in section 8.58, the tax relief fund  
2 4 shall be considered a special account for the purposes of  
2 5 section 8.53 in determining the cash position of the general  
2 6 fund of the state for the payment of state obligations.

2 7 4. Notwithstanding section 12C.7, subsection 2, interest  
2 8 or earnings on moneys deposited in the tax relief fund shall  
2 9 be credited to the fund.

2 10 Sec. 3. Section 8.58, Code 2011, is amended to read as  
2 11 follows:

2 12 8.58 Exemption from automatic application.

2 13 1. To the extent that moneys appropriated under section  
2 14 8.57 do not result in moneys being credited to the general  
2 15 fund under section 8.55, subsection 2, moneys appropriated  
2 16 under section 8.57 and moneys contained in the cash reserve  
2 17 fund, rebuild Iowa infrastructure fund, environment first  
2 18 fund, ~~and~~ Iowa economic emergency fund, and tax relief fund  
2 19 shall not be considered in the application of any formula,  
2 20 index, or other statutory triggering mechanism which would  
2 21 affect appropriations, payments, or taxation rates, contrary  
2 22 provisions of the Code notwithstanding.

2 23 2. To the extent that moneys appropriated under section  
2 24 8.57 do not result in moneys being credited to the general fund  
2 25 under section 8.55, subsection 2, moneys appropriated under  
2 26 section 8.57 and moneys contained in the cash reserve fund,  
2 27 rebuild Iowa infrastructure fund, environment first fund, ~~and~~  
2 28 Iowa economic emergency fund, and tax relief fund shall not be  
2 29 considered by an arbitrator or in negotiations under chapter  
2 30 20.

2 31 Sec. 4. TAX RELIEF FUND ==== LEGISLATIVE INTENT. It is the  
2 32 intent of the general assembly to enact appropriations from the  
2 33 tax relief fund created by this division of this Act pursuant  
2 34 to tax relief legislation which shall be proposed by the  
2 35 standing committees on ways and means of the senate and house



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House Study Bill 1 continued

3 1 of representatives.

3 2 Sec. 5. EFFECTIVE DATE AND APPLICABILITY.

3 3 1. This division of this Act, being deemed of immediate  
3 4 importance, takes effect upon enactment.

3 5 2. The amendment in this division to section 8.55, providing  
3 6 for transfer of moneys from the Iowa economic emergency fund  
3 7 to the tax relief fund instead of the general fund of the state  
3 8 applies to transfers made from the Iowa economic emergency  
3 9 fund on or after the effective date of this division and shall  
3 10 be incorporated in the state general expenditure limitation  
3 11 calculated for the fiscal year beginning July 1, 2011.

3 12 DIVISION II

3 13 UNIFORM PROVISIONS

3 14 Sec. 6. GROUP HEALTH INSURANCE PREMIUM COSTS FOR STATE  
3 15 EMPLOYEES.

3 16 1. The state's executive and judicial branch authorities  
3 17 responsible for negotiating the collective bargaining  
3 18 agreements entered into under chapter 20 shall engage in  
3 19 discussions with the applicable state employee organizations  
3 20 to renegotiate provisions involving health insurance coverage  
3 21 of state employees and their families in order to achieve cost  
3 22 savings for the state. The discussions shall include but  
3 23 are not limited to a requirement for a state employee who is  
3 24 covered by a collective bargaining agreement and is a member of  
3 25 state group health insurance plan for employees of the state  
3 26 established under chapter 509A to pay at least fifty dollars  
3 27 per month of the total premium for such health plan coverage  
3 28 for single persons or increase the amount paid per month for  
3 29 family coverage by the same amount that would be paid for the  
3 30 single persons coverage.

3 31 2. If collective bargaining agreements are renegotiated  
3 32 to achieve cost savings pursuant to subsection 1, the cost  
3 33 savings provisions shall also apply to state employees who are  
3 34 not covered by collective bargaining as provided in chapter  
3 35 20 and are members of a state group health insurance plan for



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4 1 employees of the state established under chapter 509A.  
4 2 3. Beginning on the effective date of this section or  
4 3 March 1, 2011, whichever is earlier, a state legislator or  
4 4 legislative staff member who is a member of a state group  
4 5 health insurance plan for employees of the state established  
4 6 under chapter 509A shall pay at least fifty dollars per month  
4 7 of the total premium for such health care coverage for single  
4 8 persons or increase the amount paid per month for family  
4 9 coverage by the same amount that would be paid for the single  
4 10 persons coverage. The payment amount shall be determined  
4 11 by the legislative council, subject to the minimum amount  
4 12 specified in this subsection.  
4 13 Sec. 7. STATE AGENCY OFFICE SUPPLIES, OUTSIDE SERVICES  
4 14 PURCHASE, EQUIPMENT PURCHASES, PRINTING AND BINDING,  
4 15 INFORMATION TECHNOLOGY, AND MARKETING.  
4 16 1. For the purposes of this section, "department" means the  
4 17 same as defined in section 8.2.  
4 18 2. a. For the period beginning on the effective date of  
4 19 this section through the close of the fiscal year ending on  
4 20 June 30, 2011, each state department shall be subject to a  
4 21 limitation on expenditures made on or after the effective date  
4 22 of this section for office supplies, outside services purchase,  
4 23 purchases of equipment, office equipment, and equipment  
4 24 noninventory, printing and binding, information technology, and  
4 25 marketing in accordance with this section.  
4 26 b. The limitation shall be equal to 50 percent of the  
4 27 unexpended or unencumbered amount that a department has  
4 28 budgeted or otherwise designated for purposes of office  
4 29 supplies, outside services purchase, purchases of equipment,  
4 30 office equipment, and equipment noninventory, printing and  
4 31 binding, information technology, and marketing from the  
4 32 appropriations made from all sources for the fiscal year  
4 33 beginning July 1, 2010, and ending June 30, 2011, to the  
4 34 department from all sources, as of the effective date of this  
4 35 section.



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5 1 c. If another provision of this Act directs a department  
5 2 to apply a limitation on expenditures made for information  
5 3 technology or reduces the information technology portion of  
5 4 an appropriation made to the department, such limitation or  
5 5 reduction shall be in lieu of the limitation on expenditures  
5 6 for information technology otherwise applicable under this  
5 7 subsection.

5 8 3. For the period beginning on the effective date of this  
5 9 section through the close of the fiscal year ending on June 30,  
5 10 2011, out-of-state travel by an employee of a department, which  
5 11 travel is funded in whole or in part by an appropriation from  
5 12 the general fund of the state, shall not be authorized unless  
5 13 a waiver for the travel is approved by the executive council.  
5 14 The executive council shall adopt waiver criteria based on the  
5 15 relative importance of the travel to fulfilling statutorily  
5 16 required duties, the potential for the travel to bring cost  
5 17 savings or enhanced revenues for the state, and other means  
5 18 to determine whether the benefit or potential benefit of the  
5 19 travel significantly outweighs the potential cost.

5 20 4. The committees on appropriations of the senate and  
5 21 house of representatives shall recommend legislation applying  
5 22 a directive for the executive branch to implement a master  
5 23 marketing contract for state agencies that commences on or  
5 24 before July 1, 2011.

5 25 Sec. 8. REVENUE ESTIMATING CONFERENCE MEETING. Upon the  
5 26 request of the speaker of the house of representatives or  
5 27 the majority leader of the senate, the revenue estimating  
5 28 conference shall meet on a date in February or March 2011, as  
5 29 specified in the request. At this meeting, in addition to the  
5 30 estimates normally agreed to at the meetings of the conference,  
5 31 the conference shall also agree on estimates for fiscal year  
5 32 2012=2013.

5 33 Sec. 9. Section 7E.3, Code 2011, is amended by adding the  
5 34 following new subsection:

5 35 NEW SUBSECTION. 5. Adult unauthorized aliens. Unless



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6 1 expressly authorized by federal or state law, ensure that the  
6 2 public benefits administered by the department or independent  
6 3 agency are not provided to adults who are unauthorized aliens  
6 4 not lawfully present in the United States.  
6 5 Sec. 10. NEW SECTION. 8A.440 Group health insurance premium  
6 6 costs.  
6 7 1. Collective bargaining agreements entered into pursuant  
6 8 to chapter 20 for state employees shall provide that a state  
6 9 employee covered by that agreement who is a member of a  
6 10 state group health insurance plan for employees of the state  
6 11 established under chapter 509A shall pay at least fifty dollars  
6 12 per month of the total premium for such insurance for single  
6 13 persons or increase the amount paid per month for family  
6 14 coverage by the same amount that would be paid for the single  
6 15 persons coverage.  
6 16 2. A state employee not covered by a collective bargaining  
6 17 agreement as provided in chapter 20 who is a member of a  
6 18 state group health insurance plan for employees of the state  
6 19 established under chapter 509A shall pay the same amount per  
6 20 month of the total premium for such insurance as is paid under  
6 21 the collective bargaining agreement that covers the greatest  
6 22 number of state employees in the state government entity  
6 23 employing the state employee.  
6 24 Sec. 11. Section 68B.8, Code 2011, is amended by adding the  
6 25 following new unnumbered paragraph:  
6 26 NEW UNNUMBERED PARAGRAPH A state agency of the executive  
6 27 branch of state government shall not employ a person through  
6 28 the use of its public funds whose position with the agency is  
6 29 primarily representing the agency relative to the passage,  
6 30 defeat, approval, or modification of legislation that is being  
6 31 considered by the general assembly.  
6 32 Sec. 12. APPLICABILITY. The provision of this division  
6 33 of this Act enacting section 8A.440, applies to collective  
6 34 bargaining agreements entered into on or after the effective  
6 35 date of this division of this Act.



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7 1 Sec. 13. EFFECTIVE UPON ENACTMENT. This division of this  
7 2 Act, being deemed of immediate importance, takes effect upon  
7 3 enactment.

7 4 DIVISION III  
7 5 ADMINISTRATION AND REGULATION

7 6 Sec. 14. JOINT APPROPRIATIONS SUBCOMMITTEE ON  
7 7 ADMINISTRATION AND REGULATION REQUIREMENTS. The joint  
7 8 appropriations subcommittee on administration and regulation  
7 9 shall develop and, on or before April 4, 2011, shall submit  
7 10 recommended implementation provisions to the general assembly's  
7 11 committees on appropriations in proposed legislation concerning  
7 12 all of the following:

7 13 1. Eliminating and selling the pool of state-owned  
7 14 passenger vehicles located in Polk county for temporary  
7 15 assignment to multiple drivers of a department or agency that  
7 16 is located within Polk county. The recommendations shall not  
7 17 encompass vehicles assigned for law enforcement purposes or for  
7 18 specialized use by the department of natural resources.

7 19 2. Outsourcing state vehicle leasing through a private  
7 20 entity to fill the needs addressed by the vehicles subject to  
7 21 sale under subsection 1.

7 22 Sec. 15. DEPARTMENT OF ADMINISTRATIVE SERVICES ====  
7 23 STATE-OWNED PASSENGER VEHICLES.

7 24 1. Consistent with the requirements of section 8A.361, for  
7 25 the period beginning on the effective date of this section  
7 26 and ending June 30, 2011, the department of administrative  
7 27 services shall be the sole department authorized to operate a  
7 28 pool of passenger vehicles located in Polk county for temporary  
7 29 assignment to multiple drivers of a state department or agency  
7 30 that is located within Polk county. For that period, the  
7 31 department shall not purchase new passenger vehicles for the  
7 32 pool.

7 33 2. For purposes of this section, "passenger vehicles"  
7 34 means United States environmental protection agency designated  
7 35 compact sedans, compact wagons, midsize sedans, midsize



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8 1 wagons, full-size sedans, and passenger minivans. "Passenger  
8 2 vehicles" does not mean utility vehicles, vans other than  
8 3 passenger minivans, fire trucks, ambulances, motor homes,  
8 4 buses, medium-duty and heavy-duty trucks, heavy construction  
8 5 equipment, and other highway maintenance vehicles, vehicles  
8 6 assigned for law enforcement purposes, vehicles assigned for  
8 7 specialized use by the department of natural resources, and any  
8 8 other classes of vehicles of limited application approved by  
8 9 the director of the department of administrative services.

8 10 Sec. 16. DEPARTMENT OF ADMINISTRATIVE SERVICES ==== OFFICE  
8 11 SPACE ==== COST= BENEFIT ANALYSIS. Following the filing of the  
8 12 cost=benefit analysis required pursuant to 2010 Iowa Acts,  
8 13 chapter 1184, section 49, the department of administrative  
8 14 services shall locate state employees in office space in the  
8 15 most cost=efficient manner possible. However, the department  
8 16 shall not pay penalties for the early termination of a lease  
8 17 for office space outside of the capitol complex.

8 18 Sec. 17. SALE OR LEASE OF IOWA COMMUNICATIONS NETWORK. The  
8 19 Iowa telecommunications and technology commission shall  
8 20 implement a request for proposals process to sell or lease the  
8 21 Iowa communications network. The request for proposals shall  
8 22 provide for the sale to be concluded or the lease to commence  
8 23 during the fiscal year beginning July 1, 2011. The commission  
8 24 shall condition the sale or lease of the Iowa communications  
8 25 network with terms that will allow existing authorized users of  
8 26 the network to continue such use at a lower overall long-term  
8 27 cost when compared to the anticipated operation and maintenance  
8 28 costs if state ownership and control were to continue. The  
8 29 commission shall submit periodic status reports to the general  
8 30 assembly at three-month intervals, beginning on October 1,  
8 31 2011, regarding progress made toward selling or leasing the  
8 32 network.

8 33 Sec. 18. 2010 Iowa Acts, chapter 1189, section 7, is amended  
8 34 to read as follows:

8 35 SEC. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There



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9 1 is appropriated from the general fund of the state to the  
9 2 Iowa ethics and campaign disclosure board for the fiscal year  
9 3 beginning July 1, 2010, and ending June 30, 2011, the following  
9 4 amount, or so much thereof as is necessary, for the purposes  
9 5 designated:

9 6 For salaries, support, maintenance, and miscellaneous  
9 7 purposes, and for not more than the following full-time  
9 8 equivalent positions:

9 9 .....	\$	<del>537,256</del>
9 10 .....		475,608
9 11 .....	FTEs	<del>5.00</del>
9 12 .....		4.00

9 13 Sec. 19. 2010 Iowa Acts, chapter 1193, section 29, is  
9 14 amended to read as follows:

9 15 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES ====  
9 16 INFORMATION TECHNOLOGY. There is appropriated from the general  
9 17 fund of the state to the department of administrative services  
9 18 for the fiscal year beginning July 1, 2010, and ending June 30,  
9 19 2011, the following amount, or so much thereof as is necessary,  
9 20 to be used for the purposes designated:

9 21 For implementing 2010 Iowa Acts, Senate File 2088, division  
9 22 I, including salaries, support, maintenance, and miscellaneous  
9 23 purposes:

9 24 ..... \$ 2,300,000

9 25 1. For the period beginning on the effective date of this  
9 26 section through June 30, 2011, the department of administrative  
9 27 services shall be subject to a limitation on expenditures made  
9 28 for information technology procurement equal to 50 percent  
9 29 of the unexpended or unencumbered amount remaining from the  
9 30 appropriation made in this section, as of the effective date of  
9 31 this section.

9 32 2. Notwithstanding any provision to the contrary,  
9 33 commencing with the fiscal year beginning July 1, 2011, the  
9 34 department of management shall designate the department of  
9 35 administrative services as the provider for information





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10 1 technology services for purposes of providing such services to  
10 2 agencies and other governmental entities with the following  
10 3 exceptions:

10 4 a. The office of the governor or the office of an elective  
10 5 constitutional or statutory officer.

10 6 b. The general assembly, or any office or unit under its  
10 7 administrative authority.

10 8 c. The judicial branch, as provided in section 602.1102.

10 9 d. A political subdivision of the state or its offices  
10 10 or units, including but not limited to a county, city, or  
10 11 community college.

10 12 e. The state board of regents and institutions operated  
10 13 under the authority of the state board of regents.

10 14 f. The department of public defense, including both the  
10 15 military division and the homeland security and emergency  
10 16 management division.

10 17 3. Pursuant to the procedures provided in section 8A.202,  
10 18 an agency or other governmental entity may seek a waiver from  
10 19 receiving information technology services from the department  
10 20 of administrative services.

10 21 Sec. 20. EFFECTIVE UPON ENACTMENT. This division of this  
10 22 Act, being deemed of immediate importance, takes effect upon  
10 23 enactment.

10 24 DIVISION IV

10 25 AGRICULTURE AND NATURAL RESOURCES

10 26 Sec. 21. DEPARTMENT OF NATURAL RESOURCES ==== REAL PROPERTY  
10 27 ACQUISITION CURTAILED.

10 28 1. Notwithstanding any provision to the contrary, for the  
10 29 period beginning on the effective date of this section through  
10 30 the close of the fiscal year ending on June 30, 2011, the  
10 31 department of natural resources shall not enter into a new  
10 32 arrangement to acquire or otherwise control real property.

10 33 2. For the purposes of this section, "new arrangement" means  
10 34 an obligation entered into on or after the effective date of  
10 35 this section. An obligation includes but is not limited to



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11 1 an agreement, contract, lease=purchase arrangement, or any  
11 2 other instrument leading to state ownership or control of real  
11 3 property that was not previously owned or controlled by the  
11 4 state. "New arrangement" does not include a real property  
11 5 acquisition or control project for which an appropriation to  
11 6 the department was encumbered prior to the effective date of  
11 7 this section.

11 8 3. This section, being deemed of immediate importance,  
11 9 takes effect upon enactment.

11 10 DIVISION V

11 11 ECONOMIC DEVELOPMENT

11 12 Sec. 22. STATE RECORDS STORAGE. The department of cultural  
11 13 affairs shall, within six months of the effective date of this  
11 14 section, find different storage space for the storage of state  
11 15 records.

11 16 Sec. 23. Section 15.108, subsection 5, paragraph c, Code  
11 17 2011, is amended to read as follows:

11 18 c. Coordinate and develop with the department of  
11 19 transportation, the department of natural resources, the  
11 20 department of cultural affairs, ~~the generation Iowa commission,~~  
11 21 the vision Iowa board, other state agencies, and local and  
11 22 regional entities public interpretation, marketing, and  
11 23 education programs that encourage Iowans and out=of=state  
11 24 visitors to participate in the recreational and leisure  
11 25 opportunities available in Iowa. The department shall  
11 26 establish and administer a program that helps connect both  
11 27 Iowa residents and residents of other states to new and  
11 28 existing Iowa experiences as a means to enhance the economic,  
11 29 social, and cultural well=being of the state. The program  
11 30 shall include a broad range of new opportunities, both rural  
11 31 and urban, including main street destinations, green space  
11 32 initiatives, and artistic and cultural attractions.

11 33 Sec. 24. 2010 Iowa Acts, chapter 1184, section 43, is  
11 34 amended to read as follows:

11 35 SEC. 43. SAVE OUR SMALL BUSINESSES FUND APPROPRIATION.



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12 1     1. There is appropriated from the school infrastructure  
12 2 fund created in section 12.82 to the department of economic  
12 3 development for deposit in the save our small businesses fund  
12 4 for the fiscal year beginning July 1, 2010, and ending June 30,  
12 5 2011, the following amount, or so much thereof as is necessary,  
12 6 to be used for the purposes designated:

12 7         For purposes of providing financial assistance under the  
12 8 save our small businesses program under section 15.301:  
12 9 ..... \$ 5,000,000

12 10        Of the moneys appropriated pursuant to this section, the  
12 11 department may allocate an amount not to exceed two percent of  
12 12 the moneys appropriated for purposes of retaining the services  
12 13 of an organization designated pursuant to section 15.301,  
12 14 subsection 2, paragraph "b".

12 15     2. On the effective date of this section of this 2011 Iowa  
12 16 Act, any unobligated and unencumbered moneys appropriated in  
12 17 this section shall revert to the school infrastructure fund.

12 18     Sec. 25. 2010 Iowa Acts, chapter 1186, section 1, subsection  
12 19 11, is amended to read as follows:

12 20        11. For membership in North America's supercorridor  
12 21 coalition:

12 22 ..... \$ 50,000

12 23        Beginning July 1, 2011, the department shall not renew  
12 24 membership in North America's supercorridor coalition.

12 25     Sec. 26. REPEAL. Sections 15.300 and 15.301, Code 2011,  
12 26 are repealed.

12 27     Sec. 27. REPEAL. Section 15.421, Code 2011, is repealed.

12 28     Sec. 28. GREAT PLACES PROGRAM.

12 29        1. For the period beginning on the effective date of this  
12 30 section through the close of the fiscal year ending on June 30,  
12 31 2011, the department of cultural affairs shall be subject to a  
12 32 limitation on expenditures made on or after the effective date  
12 33 of this section for purposes of the great places program in  
12 34 accordance with this section.

12 35        2. The limitation shall be equal to any unexpended or



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13 1 unencumbered amount that the department has budgeted or  
13 2 otherwise designated for purposes of the great places program,  
13 3 from the appropriations made for the fiscal year beginning July  
13 4 1, 2010, and ending June 30, 2011, to the department from all  
13 5 sources, as of the effective date of this section.

13 6 Sec. 29. LOANS ==== CONTINUED EFFECT. Loans awarded from  
13 7 the save our small business fund pursuant to section 15.301,  
13 8 prior to the effective date of this section, shall continue as  
13 9 provided by the terms of the loans and shall be administered by  
13 10 the department of economic development.

13 11 Sec. 30. EFFECTIVE UPON ENACTMENT. This division of this  
13 12 Act, being deemed of immediate importance, takes effect upon  
13 13 enactment.

13 14 DIVISION VI  
13 15 EDUCATION

13 16 Sec. 31. 2010 Iowa Acts, chapter 1183, section 6, subsection  
13 17 1, is amended to read as follows:

13 18 1. GENERAL ADMINISTRATION

13 19 For salaries, support, maintenance, miscellaneous purposes,  
13 20 and for not more than the following full-time equivalent  
13 21 positions:

13 22 .....	\$	<u>7,096,482</u>
13 23 .....		<u>7,037,482</u>
13 24 .....	FTEs	83.67

13 25 Sec. 32. 2010 Iowa Acts, chapter 1183, section 6, subsection  
13 26 17, is amended to read as follows:

13 27 17. CORE CURRICULUM AND CAREER INFORMATION AND  
13 28 DECISION-MAKING SYSTEM

13 29 For purposes of implementing the statewide core curriculum  
13 30 for school districts and accredited nonpublic schools and a  
13 31 state-designated career information and decision-making system:

13 32 .....	\$	<u>1,901,556</u>
13 33 .....		<u>75,556</u>

13 34 It is the intent of the general assembly that the  
13 35 standing committees on education of the senate and house of



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14 1 representatives shall consider and propose legislation to amend  
14 2 Iowa law regarding the statewide core curriculum, to take  
14 3 effect on or before July 1, 2011.

14 4 UNIVERSITY OF IOWA  
14 5 Sec. 33. 2010 Iowa Acts, chapter 1183, section 10,  
14 6 subsection 2, paragraph a, is amended to read as follows:  
14 7 a. General university, including lakeside laboratory  
14 8 For salaries, support, maintenance, equipment, miscellaneous  
14 9 purposes, and for not more than the following full=time  
14 10 equivalent positions:  
14 11 ..... \$217,638,034  
14 12 ..... 215,732,011  
14 13 ..... FTEs 5,058.55

14 14 IOWA STATE UNIVERSITY  
14 15 Sec. 34. 2010 Iowa Acts, chapter 1183, section 10,  
14 16 subsection 3, paragraph a, is amended to read as follows:  
14 17 a. General university  
14 18 For salaries, support, maintenance, equipment, miscellaneous  
14 19 purposes, and for not more than the following full=time  
14 20 equivalent positions:  
14 21 ..... \$170,536,017  
14 22 ..... 170,386,017  
14 23 ..... FTEs 3,647.42

14 24 UNIVERSITY OF NORTHERN IOWA  
14 25 Sec. 35. 2010 Iowa Acts, chapter 1183, section 10,  
14 26 subsection 4, paragraph a, is amended to read as follows:  
14 27 a. General university  
14 28 For salaries, support, maintenance, equipment, miscellaneous  
14 29 purposes, and for not more than the following full=time  
14 30 equivalent positions:  
14 31 ..... \$ 77,549,809  
14 32 ..... 77,470,734  
14 33 ..... FTEs 1,447.50

14 34 Sec. 36. LIBRARY ACQUISITION AND INFORMATION TECHNOLOGY  
14 35 EXPENDITURES ==== STATE BOARD OF REGENTS.



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15 1 1. For the period beginning on the effective date of this  
15 2 section through the close of the fiscal year ending on June  
15 3 30, 2011, the state board of regents shall be subject to a  
15 4 limitation on expenditures made on or after the effective date  
15 5 of this section for library acquisitions at all libraries, and  
15 6 for information technology at the university of Iowa, the Iowa  
15 7 state university of science and technology, and the university  
15 8 of northern Iowa.

15 9 2. The limitation shall be equal to 50 percent of the  
15 10 unexpended or unencumbered amount that the state board of  
15 11 regents has budgeted or otherwise designated for purposes of  
15 12 library acquisitions, and for information technology from  
15 13 the appropriations made to the state board of regents from  
15 14 all sources, as of the effective date of this section. The  
15 15 appropriations made for such universities from the general  
15 16 fund of the state in 2010 Iowa Acts, chapter 1183, section 10,  
15 17 have been reduced in this Act to reflect the limitation on  
15 18 expenditures required by this section.

15 19 Sec. 37. LIBRARY ACQUISITION FUNDING ==== DEPARTMENT OF  
15 20 EDUCATION ==== STATE LIBRARY.

15 21 1. For the period beginning on the effective date of this  
15 22 section through the close of the fiscal year ending on June  
15 23 30, 2011, the department of education shall be subject to a  
15 24 limitation on expenditures made on or after the effective date  
15 25 of this section for library acquisitions at the state library  
15 26 including digital acquisitions.

15 27 2. The limitation shall be equal to 50 percent of the  
15 28 unexpended or unencumbered amount that the department of  
15 29 education has budgeted or otherwise designated for purposes of  
15 30 library acquisitions, including digital acquisitions, from the  
15 31 appropriations made to the department from all sources, as of  
15 32 the effective date of this section.

15 33 Sec. 38. REGENTS UNIVERSITY LEAVE LIMITATION. For the  
15 34 period beginning on the effective date of this section and  
15 35 ending June 30, 2012, the state board of regents shall not



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16 1 approve paid leaves of absence granted pursuant to section  
16 2 262.9, subsection 14, for any faculty member.  
16 3     Sec. 39. STATEWIDE VOLUNTARY PRESCHOOL. It is the intent  
16 4 of the general assembly to fill the needs addressed by the  
16 5 statewide preschool program for four=year=old children repealed  
16 6 by this division by expanding the preschool tuition assistance  
16 7 provided as part of the school ready children grant program  
16 8 administered through the early childhood Iowa initiative under  
16 9 chapter 256I.  
16 10     Sec. 40. TUITION GRANT PROGRAM REVISIONS ==== REGENTS  
16 11 ADMINISTRATIVE FUNCTIONS.  
16 12     1. The standing committees on education of the senate and  
16 13 house of representatives shall recommend legislation to be  
16 14 effective July 1, 2011, revising the tuition grant program  
16 15 provisions administered by the college student aid commission  
16 16 under chapter 261 so that the annual grant amount awarded under  
16 17 the program is determined after the other aid available to  
16 18 the student has been determined. The committees shall also  
16 19 consider providing tuition grants based upon a sliding scale  
16 20 that provides greater amounts for those with lower incomes  
16 21 and lesser amounts for those with greater incomes. The joint  
16 22 appropriations subcommittee on education shall consider such  
16 23 legislation in recommending an amount to appropriate for  
16 24 tuition grants for fiscal year 2011=2012.  
16 25     2. The joint appropriations subcommittee on education shall  
16 26 implement provisions to consolidate administrative functions at  
16 27 the state board of regents and the institutions under the board  
16 28 in order to reduce the amount that would otherwise be budgeted  
16 29 for administrative functions for the fiscal year beginning July  
16 30 1, 2011, and each fiscal year thereafter.  
16 31     Sec. 41. Section 237A.21, subsection 3, paragraph p, Code  
16 32 2011, is amended by striking the paragraph.  
16 33     Sec. 42. Section 237A.22, subsection 1, paragraphs f and g,  
16 34 Code 2011, are amended to read as follows:  
16 35     f. Make recommendations for improving collaborations between



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17 1 the child care programs involving the department and programs  
17 2 supporting the education and development of young children  
17 3 including but not limited to the federal head start program,  
~~17 4 the statewide preschool program for four-year-old children~~  
17 5 and the early childhood, at-risk, and other early education  
17 6 programs administered by the department of education.  
17 7 g. Make recommendations for eliminating duplication and  
17 8 otherwise improving the eligibility determination processes  
17 9 used for the state child care assistance program and other  
17 10 programs supporting low-income families, including but not  
17 11 limited to the federal head start, early head start, and even  
17 12 start programs; the early childhood, at-risk, and ~~preschool~~  
~~17 13 prekindergarten~~ programs administered by the department of  
17 14 education; the family and self-sufficiency grant program; and  
17 15 the family investment program.  
17 16 Sec. 43. Section 256.11, subsection 1, paragraph c, Code  
17 17 2011, is amended by striking the paragraph.  
17 18 Sec. 44. Section 257.16, subsection 1, Code 2011, is amended  
17 19 to read as follows:  
17 20 1. There is appropriated each year from the general fund  
17 21 of the state an amount necessary to pay the foundation aid  
17 22 under this chapter, ~~the preschool foundation aid under chapter~~  
~~17 23 256C,~~ supplementary aid under section 257.4, subsection 2, and  
17 24 adjusted additional property tax levy aid under section 257.15,  
17 25 subsection 4.  
17 26 Sec. 45. Section 257.35, Code 2011, is amended by adding the  
17 27 following new subsection:  
17 28 NEW SUBSECTION. 5A. Notwithstanding subsection 1, and in  
17 29 addition to the reduction applicable pursuant to subsection  
17 30 2, the state aid for area education agencies and the portion  
17 31 of the combined district cost calculated for these agencies  
17 32 for the fiscal year beginning July 1, 2010, and ending June  
17 33 30, 2011, and subsequent fiscal years, shall be reduced by the  
17 34 department of management by ten million dollars. The reduction  
17 35 for each area education agency shall be prorated based on the





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18 1 reduction that the agency received in the fiscal year beginning  
18 2 July 1, 2003.

18 3 Sec. 46. Section 272.2, subsection 18, Code 2011, is amended  
18 4 to read as follows:

18 5 18. May adopt rules for practitioners who are not eligible  
18 6 for a statement of professional recognition under subsection  
18 7 10, but have received a baccalaureate degree and provide a  
18 8 service to students at any or all levels from prekindergarten  
18 9 through grade twelve for a school district, accredited  
18 10 nonpublic school, or area education agency, ~~or preschool~~  
~~18 11 program established pursuant to chapter 256C.~~

18 12 Sec. 47. Section 285.1, subsection 1, paragraph a,  
18 13 subparagraph (3), Code 2011, is amended to read as follows:

18 14 (3) Children attending prekindergarten programs offered or  
18 15 sponsored by the district or nonpublic school and approved by  
18 16 the department of education or department of human services  
18 17 ~~or children participating in preschool in an approved local~~  
~~18 18 program under chapter 256C~~ may be provided transportation  
18 19 services. However, transportation services provided to  
18 20 nonpublic school children are not eligible for reimbursement  
18 21 under this chapter.

18 22 Sec. 48. REPEAL. Chapter 256C, Code 2011, is repealed.

18 23 Sec. 49. EFFECTIVE DATES.

18 24 1. The sections of this division of this Act amending Code  
18 25 sections 237A.21, 237A.22, 256.11, 257.16, 257.35, 272.2, and  
18 26 285.1 and repealing Code chapter 256C, take effect July 1,  
18 27 2011, and apply to budget years beginning on or after July 1,  
18 28 2011.

18 29 2. The provisions of this division of this Act other than  
18 30 those addressed by subsection 1, being deemed of immediate  
18 31 importance, take effect upon enactment.

18 32 DIVISION VII

18 33 HEALTH AND HUMAN SERVICES

18 34 Sec. 50. Section 217.6, Code 2011, is amended by adding the  
18 35 following new unnumbered paragraph:



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19 1 NEW UNNUMBERED PARAGRAPH The rules and regulations  
19 2 adopted for the public benefits and programs administered by  
19 3 the department of human services shall apply the residency  
19 4 eligibility restrictions required by federal and state law.  
19 5 Sec. 51. DEPARTMENT ON AGING ==== PLAN FOR REDUCTION IN  
19 6 NUMBER OF AREA AGENCIES ON AGING. The department on aging  
19 7 shall develop a plan for reducing the number of area agencies  
19 8 on aging in the state to not more than five, to be effective  
19 9 beginning July 1, 2011. The department shall submit the plan  
19 10 to the standing committees on human resources of the senate  
19 11 and house of representatives and the joint appropriations  
19 12 subcommittee on health and human services on or before February  
19 13 25, 2011.  
19 14 Sec. 52. JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH  
19 15 AND HUMAN SERVICES. The joint appropriations subcommittee  
19 16 on health and human services shall develop and include in  
19 17 appropriations legislation a new reimbursement methodology for  
19 18 juvenile shelter care providers for use beginning July 1, 2011.  
19 19 The new reimbursement methodology shall end the practice of  
19 20 providing reimbursement for unused shelter care beds.  
19 21 HEALTH CARE COVERAGE COMMISSION  
19 22 Sec. 53. 2009 Iowa Acts, chapter 183, section 65, subsection  
19 23 3, is amended to read as follows:  
19 24 3. There is appropriated from the human services  
19 25 reinvestment fund for the fiscal year beginning July 1, 2009,  
19 26 and ending June 30, 2010, the following amount to be used for  
19 27 the following designated purpose:  
19 28 For the legislative services agency to be used for costs  
19 29 associated with the legislative health care coverage commission  
19 30 created in 2009 Iowa Acts, Senate File 389, if enacted, or a  
19 31 similar legislative commission:  
19 32 ..... \$315,000  
19 33 ..... 148,000  
19 34 Notwithstanding section 8.33, moneys appropriated in this  
19 35 subsection that remain unencumbered or unobligated at the close



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20 1 of the fiscal year shall not revert but shall remain available  
20 2 for expenditure for the purposes designated until the close of  
20 3 the fiscal year that begins July 1, 2010.

20 4 ADDICTIVE DISORDERS

20 5 Sec. 54. 2010 Iowa Acts, chapter 1192, section 2, subsection  
20 6 1, unnumbered paragraph 1, is amended to read as follows:

20 7 For reducing the prevalence of use of tobacco, alcohol, and  
20 8 other drugs, and treating individuals affected by addictive  
20 9 behaviors, including gambling, and for not more than the  
20 10 following full-time equivalent positions:

20 11 .....	\$ <del>28,974,840</del>
20 12 .....	<u>26,574,840</u>
20 13 .....	FTEs 18.00

20 14 Sec. 55. 2010 Iowa Acts, chapter 1192, section 2, subsection  
20 15 1, paragraph a, is amended to read as follows:

20 16 a. Of the funds appropriated in this subsection, ~~\$7,438,282~~  
~~20 17 \$5,038,282~~ shall be used for the tobacco use prevention and  
20 18 control initiative, including efforts at the state and local  
20 19 levels, as provided in chapter 142A.

20 20 (1) The director of public health shall dedicate sufficient  
20 21 resources to promote and ensure retailer compliance with  
20 22 tobacco laws and ordinances relating to persons under 18  
20 23 years of age, and shall prioritize the state's compliance in  
20 24 the allocation of available funds to comply with 42 U.S.C.  
20 25 { 300x=26 and section 453A.2.

20 26 (2) Of the full-time equivalent positions authorized in  
20 27 this subsection, 2.00 full-time equivalent positions shall  
20 28 be utilized to provide for enforcement of tobacco laws,  
20 29 regulations, and ordinances.

20 30 (3) Of the funds allocated in this lettered paragraph,  
20 31 ~~\$1,796,508~~ \$1,197,672 shall be used for youth programs designed  
20 32 to achieve the goals of the initiative, that are directed by  
20 33 youth participants for youth pursuant to section 142A.9.

20 34 (4) For the period beginning on the effective date of  
20 35 this subparagraph through the close of the fiscal year ending



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21 1 on June 30, 2011, except for activities provided during the  
21 2 period through a contract or other legally binding obligation  
21 3 entered into prior to the period that cannot be canceled  
21 4 without penalty, the department shall cancel smoking cessation  
21 5 and prevention efforts funded in whole or in part under this  
21 6 paragraph "a". The efforts subject to this subparagraph  
21 7 shall include but are not limited to the just eliminate  
21 8 lies initiative and other expenditures relating to the youth  
21 9 programs addressed in subparagraph (3) and the quitline  
21 10 Iowa initiative. The joint appropriations subcommittee on  
21 11 health and human services, in consultation with the standing  
21 12 committees on human resources of the senate and house of  
21 13 representatives, shall recommend legislation to revise the  
21 14 youth programs addressed by subparagraph (3) effective July 1,  
21 15 2011, in order to eliminate unnecessary, wasteful expenditures.

21 16 HEALTHY CHILDREN AND FAMILIES

21 17 Sec. 56. 2010 Iowa Acts, chapter 1192, section 2, subsection  
21 18 4, unnumbered paragraph 1, is amended to read as follows:

21 19 For strengthening the health care delivery system at the  
21 20 local level, and for not more than the following full-time  
21 21 equivalent positions:

21 22 .....	\$	5,503,037
21 23 .....		5,398,037
21 24 .....	FTEs	21.00

21 25 Sec. 57. 2010 Iowa Acts, chapter 1192, section 2, subsection  
21 26 4, paragraph h, subparagraph (1), amended to read as follows:

21 27 (1) Of the funds appropriated in this subsection, ~~\$180,000~~  
~~21 28 \$120,000~~ shall be used for continued implementation of  
21 29 the recommendations of the direct care worker task force  
21 30 established pursuant to, based upon the report submitted to  
21 31 the governor and the general assembly in December 2006. The  
21 32 department may use a portion of the funds allocated in this  
21 33 paragraph for an additional position to assist in the continued  
21 34 implementation.

21 35 Sec. 58. 2010 Iowa Acts, chapter 1192, section 2, subsection



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22 1 4, paragraph i, subparagraph (1), is amended to read as

22 2 follows:

22 3 (1) Of the funds appropriated in this subsection, ~~\$135,000~~

~~22 4 \$90,000~~ shall be used for allocation to an independent

22 5 statewide direct care worker association for education,

22 6 outreach, leadership development, mentoring, and other

22 7 initiatives intended to enhance the recruitment and retention

22 8 of direct care workers in health and long-term care.

22 9 HEALTHY AGING ==== PUBLIC PROTECTION

22 10 Sec. 59. 2010 Iowa Acts, chapter 1192, section 2,

22 11 subsections 5 and 8, are amended to read as follows:

22 12 5. HEALTHY AGING

22 13 To provide public health services that reduce risks and

22 14 invest in promoting and protecting good health over the

22 15 course of a lifetime with a priority given to older Iowans and

22 16 vulnerable populations:

22 17 ..... \$ ~~8,045,779~~

22 18 7,745,779

22 19 a. Of the funds appropriated in this subsection, ~~\$2,209,696~~

~~22 20 \$2,127,316~~ shall be used for local public health nursing

22 21 services.

22 22 b. Of the funds appropriated in this subsection, ~~\$5,836,083~~

~~22 23 5,618,463~~ shall be used for home care aide services.

22 24 8. PUBLIC PROTECTION

22 25 For protecting the health and safety of the public through

22 26 establishing standards and enforcing regulations, and for not

22 27 more than the following full-time equivalent positions:

22 28 ..... \$ ~~3,287,987~~

22 29 3,237,987

22 30 ..... FTEs 130.00

22 31 a. Of the funds appropriated in this subsection, not more

22 32 than \$471,690 shall be credited to the emergency medical

22 33 services fund created in section 135.25. Moneys in the

22 34 emergency medical services fund are appropriated to the

22 35 department to be used for the purposes of the fund.



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23 1 b. Of the funds appropriated in this subsection, \$234,229  
23 2 shall be used for sexual violence prevention programming  
23 3 through a statewide organization representing programs serving  
23 4 victims of sexual violence through the department's sexual  
23 5 violence prevention program. The amount allocated in this  
23 6 lettered paragraph shall not be used to supplant funding  
23 7 administered for other sexual violence prevention or victims  
23 8 assistance programs.

23 9 c. Of the funds appropriated in this subsection, not more  
23 10 than \$485,520 shall be used for the state poison control  
23 11 center.

~~23 12 d. Of the funds appropriated in this subsection, \$50,000  
23 13 shall be used for education, testing, training, and other costs  
23 14 to conform the requirements for certification of emergency  
23 15 medical care providers with national standards.~~

23 16 FAMILY PLANNING WAIVER

23 17 Sec. 60. 2010 Iowa Acts, chapter 1192, section 11,  
23 18 subsection 24, is amended to read as follows:

23 19 24. a. The department of human services shall amend  
23 20 the medical assistance waiver for the Iowa family planning  
23 21 network to continue the current waiver with the following  
23 22 modifications, to be effective July 1, 2011 as soon as  
23 23 federal approval can be obtained, which provide for all of the  
23 24 following:

23 25 (1) Coverage for women who meet all of the following  
23 26 criteria:

23 27 (a) Are uninsured or have health insurance coverage that  
23 28 does not include coverage for benefits provided under the Iowa  
23 29 family planning network.

23 30 (b) Have income of up to ~~300~~ 133 percent of the federal  
23 31 poverty level.

23 32 (c) Are under 55 years of age.

23 33 (2) Coverage of pregnancy prevention services for men who  
23 34 meet the income, age, and insurance coverage specifications  
23 35 described in subparagraph (1).



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24 1 b. Implementation of this subsection is contingent upon  
24 2 approval of the medical assistance waiver for the Iowa family  
24 3 planning network by the centers for Medicare and Medicaid  
24 4 services of the United States department of health and human  
24 5 services and upon availability of funding as determined by the  
24 6 director of the department of human services.

24 7 c. Of the funds appropriated in this section, \$25,000 shall  
24 8 be used for administrative costs for renewal and modification  
24 9 of the Iowa family planning network waivers as provided in this  
24 10 subsection.

24 11 CHILD AND FAMILY SERVICES ==== SHELTER CARE

24 12       Sec. 61. 2010 Iowa Acts, chapter 1192, section 19,  
24 13 subsection 1, is amended to read as follows:

24 14 1. There is appropriated from the general fund of the  
24 15 state to the department of human services for the fiscal year  
24 16 beginning July 1, 2010, and ending June 30, 2011, the following  
24 17 amount, or so much thereof as is necessary, to be used for the  
24 18 purpose designated:

24 19 For child and family services:

24 20	.....	\$ <del>79,593,023</del>
24 21		79,127,023

24 22       Sec. 62. 2010 Iowa Acts, chapter 1192, section 19,  
24 23 subsection 7, paragraph a, is amended to read as follows:

24 24 a. Notwithstanding section 234.35 or any other provision  
24 25 of law to the contrary, state funding for shelter care shall  
24 26 be limited to ~~\$7,894,147~~ \$7,428,147. The department may  
24 27 continue or amend shelter care provider contracts to include  
24 28 the child welfare emergency services for children that were  
24 29 implemented pursuant to 2008 Iowa Acts, chapter 1187, section  
24 30 16, subsection 7. An appropriate amount of the funds allocated  
24 31 in this subsection may be used for wraparound and emergency  
24 32 services to prevent the need for shelter care services,  
24 33 including such services for children who have an immediate  
24 34 need for shelter care services but are ineligible due to  
24 35 income, status, or other requirement. The funding shall be



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25 1 expended by providers in a manner that does not impinge upon  
25 2 the availability of beds for eligible children.  
25 3     Sec. 63. EFFECTIVE UPON ENACTMENT. This division of this  
25 4 Act, being deemed of immediate importance, takes effect upon  
25 5 enactment.

DIVISION VIII

INFRASTRUCTURE AND TRANSPORTATION

25 7     Sec. 64. LIVING ROADWAY TRUST FUND.

25 9     1. For the period beginning on the effective date of this  
25 10 section through the close of the fiscal year ending on June  
25 11 30, 2011, the department of transportation shall be subject to  
25 12 a limitation on expenditures made on or after the effective  
25 13 date of this section for purposes of the integrated roadside  
25 14 vegetation management coordinator and support as described in  
25 15 section 314.21, subsection 3, paragraph "a", subparagraph (1),  
25 16 in accordance with this section.

25 17     2. The limitation shall be equal to any unexpended or  
25 18 unencumbered amount that the department has budgeted or  
25 19 otherwise designated for purposes of section 314.21, subsection  
25 20 3, paragraph "a", subparagraph (1), from the moneys allocated  
25 21 for the fiscal year beginning July 1, 2010, and ending June 30,  
25 22 2011, to the department from all sources, as of the effective  
25 23 date of this section.

25 24     Sec. 65. Section 16.194A, subsection 2, Code 2011, is  
25 25 amended by striking the subsection.

25 26     Sec. 66. Section 28I.4, subsection 1, Code 2011, is amended  
25 27 to read as follows:

25 28     1. The commission shall have the power and duty to make  
25 29 comprehensive studies and plans for the development of the  
25 30 area it serves which will guide the unified development of  
25 31 the area and which will eliminate planning duplication and  
25 32 promote economy and efficiency in the coordinated development  
25 33 of the area and the general welfare, convenience, safety, and  
25 34 prosperity of its people. The plan or plans collectively  
25 35 shall be known as the regional or metropolitan development





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26 1 plan. The plans for the development of the area may include  
26 2 but shall not be limited to recommendations with respect to  
26 3 existing and proposed highways, bridges, airports, streets,  
26 4 parks and recreational areas, schools and public institutions  
26 5 and public utilities, public open spaces, and sites for public  
26 6 buildings and structures; districts for residence, business,  
26 7 industry, recreation, agriculture, and forestry; water supply,  
26 8 sanitation, drainage, protection against floods and other  
26 9 disasters; areas for housing developments, slum clearance  
26 10 and urban renewal and redevelopment; location of private  
26 11 and public utilities, including but not limited to sewerage  
26 12 and water supply systems; and such other recommendations  
26 13 concerning current and impending problems as may affect the  
26 14 area served by the commission. Time and priority schedules and  
26 15 cost estimates for the accomplishment of the recommendations  
26 16 may also be included in the plans. ~~The plans shall be made~~  
~~26 17 with consideration of the smart planning principles under~~  
~~26 18 section 18B.1.~~ The plans shall be based upon and include  
26 19 appropriate studies of the location and extent of present  
26 20 and anticipated populations; social, physical, and economic  
26 21 resources, problems and trends; and governmental conditions and  
26 22 trends. The commission is also authorized to make surveys,  
26 23 land-use studies, and urban renewal plans, provide technical  
26 24 services and other planning work for the area it serves and  
26 25 for cities, counties, and other political subdivisions in the  
26 26 area. A plan or plans of the commission may be adopted, added  
26 27 to, and changed from time to time by a majority vote of the  
26 28 planning commission. The plan or plans may in whole or in part  
26 29 be adopted by the governing bodies of the cooperating cities  
26 30 and counties as the general plans of such cities and counties.  
26 31 The commission may also assist the governing bodies and other  
26 32 public authorities or agencies within the area it serves  
26 33 in carrying out any regional plan or plans, and assist any  
26 34 planning commission, board or agency of the cities and counties  
26 35 and political subdivisions in the preparation or effectuation



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27 1 of local plans and planning consistent with the program of the  
27 2 commission. The commission may cooperate and confer, as far as  
27 3 possible, with planning agencies of other states or of regional  
27 4 groups of states adjoining its area.

27 5 Sec. 67. Section 329.3, Code 2011, is amended to read as  
27 6 follows:

27 7 329.3 Zoning regulations ==== powers granted.

27 8 Every municipality having an airport hazard area within  
27 9 its territorial limits may adopt, administer, and enforce  
27 10 in the manner and upon the conditions prescribed by this  
27 11 chapter, zoning regulations for such airport hazard area,  
27 12 which regulations may divide such area into zones and, within  
27 13 such zones, specify the land uses permitted, and regulate  
27 14 and restrict, for the purpose of preventing airport hazards,  
27 15 the height to which structures and trees may be erected or  
27 16 permitted to grow. ~~Regulations adopted under this chapter~~  
~~27 17 shall be made with consideration of the smart planning~~  
~~27 18 principles under section 18B.1.~~

27 19 Sec. 68. Section 335.5, subsections 3 and 4, Code 2011, are  
27 20 amended by striking the subsections.

27 21 Sec. 69. Section 335.8, subsection 2, Code 2011, is amended  
27 22 by striking the subsection.

27 23 Sec. 70. Section 414.3, subsections 3 and 4, Code 2011, are  
27 24 amended by striking the subsections.

27 25 Sec. 71. Section 414.6, subsection 2, Code 2011, is amended  
27 26 by striking the subsection.

27 27 Sec. 72. REPEAL. Chapter 18B, Code 2011, is repealed.

27 28 Sec. 73. REPEAL. 2010 Iowa Acts, chapter 1184, section 25,  
27 29 is repealed.

27 30 Sec. 74. RECISION OF AWARDS. Any award to a city or county  
27 31 that applies smart planning principles and guidelines pursuant  
27 32 to sections 18B.1 and 18B.2, Code 2011, granted from moneys  
27 33 appropriated pursuant to 2010 Iowa Acts, chapter 1184, section  
27 34 10, subsection 4, paragraph "b", for which a contract has  
27 35 not been entered into by the effective date of this section,



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28 1 shall be rescinded. The Iowa jobs board shall not award any  
28 2 additional such grants on or after the effective date of this  
28 3 section.

28 4 Sec. 75. 2010 Iowa Acts, chapter 1184, section 1, subsection  
28 5 1, paragraph c, unnumbered paragraph 1, is amended to read as  
28 6 follows:

28 7 For the state's share of support in conjunction with the  
28 8 city of Des Moines and local area businesses to provide a  
28 9 free shuttle service to the citizens of Iowa that includes  
28 10 transportation between the capitol complex and the downtown  
28 11 Des Moines area, notwithstanding section 8.57, subsection 6,  
28 12 paragraph "c":

28 13 .....	\$	200,000
28 14 .....		<u>125,000</u>

28 15 Sec. 76. 2010 Iowa Acts, chapter 1184, section 1, subsection  
28 16 7, paragraph c, is amended to read as follows:

28 17 c. For costs associated with the hiring and employment of an  
28 18 asset manager at Honey creek resort state park, notwithstanding  
28 19 section 8.57, subsection 6, paragraph "c":

28 20 .....	\$	100,000
28 21 .....		<u>26,200</u>

~~28 22 The department shall issue a request for proposals to~~  
~~28 23 competitively procure the services of an asset manager which~~  
~~28 24 shall be selected by the natural resource commission. The~~  
~~28 25 asset manager shall have hospitality management experience~~  
~~28 26 of at least five years including at least three years asset~~  
~~28 27 management experience in a setting similar in size and quality~~  
~~28 28 to the Honey creek resort state park with a similar type of~~  
~~28 29 market. The duties and job responsibilities of the asset~~  
~~28 30 manager shall include but are not limited to reviewing and~~  
~~28 31 commenting on the resort's sales and marketing plan, providing~~  
~~28 32 for the operation of the resort in a manner consistent with~~  
~~28 33 the requirements and limitations set forth in the resort's~~  
~~28 34 operating agreement, monitoring and supervising the resort~~  
~~28 35 including site visits, and negotiating and recommending an~~



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~~29 1 annual operating budget and budget plan. The asset manager~~  
~~29 2 shall report to bond counsel, the governor, the Honey creek~~  
~~29 3 authority, the department of natural resources, and the~~  
~~29 4 legislative services agency.~~

29 5 Sec. 77. 2009 Iowa Acts, chapter 184, section 1, subsection  
29 6 12, paragraph a, as amended by 2010 Iowa Acts, chapter 1184,  
29 7 section 71, is amended to read as follows:

29 8 a. For deposit in the passenger rail service revolving  
29 9 fund created in section 327J.2, notwithstanding section 8.57,  
29 10 subsection 6, paragraph "c":

29 11 ..... \$ ~~3,000,000~~  
29 12 302,007

29 13 Sec. 78. 2010 Iowa Acts, chapter 1184, section 2, subsection  
29 14 3, is amended to read as follows:

29 15 3. DEPARTMENT OF TRANSPORTATION

29 16 For deposit into the passenger rail service revolving  
29 17 fund created in section 327J.2 for matching federal funding  
29 18 available through the federal Passenger Rail Investment  
29 19 and Improvement Act of 2008 for passenger rail service,  
29 20 notwithstanding section 8.57, subsection 6, paragraph "c":

29 21 FY 2011=2012..... \$ ~~6,500,000~~  
29 22 0

~~29 23 It is the intent of the general assembly to fund up to~~  
~~29 24 \$20 million over a four-year period to fully fund the state~~  
~~29 25 commitment for matching federal funding available through the~~  
~~29 26 federal Passenger Rail Investment and Improvement Act of 2008.~~

29 27 Sec. 79. 2010 Iowa Acts, chapter 1184, section 16, is  
29 28 amended to read as follows:

29 29 SEC. 16. There is appropriated from the Iowa comprehensive  
29 30 petroleum underground storage tank fund to the department of  
29 31 transportation for the fiscal year beginning July 1, 2010, and  
29 32 ending June 30, 2011, the following amount, or so much thereof  
29 33 as is necessary, to be used for the purposes designated:

29 34 Notwithstanding section 455G.3, subsection 1, for deposit in  
29 35 the passenger rail service revolving fund created in section



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30 1 327J.2:

30 2 ..... \$ 2,000,000  
30 3 500,000

30 4 ~~Such funds shall be coupled with the remaining unobligated~~  
~~30 5 balance of up to one million five hundred thousand dollars from~~  
~~30 6 the appropriation made in 2009 Iowa Acts, chapter 184, section~~  
~~30 7 1, subsection 12, paragraph "a", for a total commitment of~~  
~~30 8 three million five hundred thousand dollars for the fiscal year~~  
~~30 9 beginning July 1, 2010, and ending June 30, 2011, for matching~~  
~~30 10 federal funding available through the Passenger Rail Investment~~  
~~30 11 and Improvement Act of 2008.~~

30 12 Sec. 80. 2008 Iowa Acts, chapter 1179, section 1, subsection  
30 13 13, paragraph c, as amended by 2009 Iowa Acts, chapter 184,  
30 14 section 22, is amended by striking the paragraph.

30 15 Sec. 81. EFFECTIVE UPON ENACTMENT. This division of this  
30 16 Act, being deemed of immediate importance, takes effect upon  
30 17 enactment.

30 18 DIVISION IX  
30 19 JUSTICE SYSTEM

30 20 Sec. 82. CONSOLIDATION OF CHIEF JUVENILE COURT OFFICER  
30 21 POSITION. The judiciary committees of the senate and house of  
30 22 representatives shall recommend legislation to be effective  
30 23 July 1, 2011, providing for a single chief juvenile court  
30 24 officer position for the state instead of a chief officer for  
30 25 each judicial district. The joint appropriations subcommittee  
30 26 on the justice system shall consider such legislation in  
30 27 recommending an amount to appropriate for the judicial branch  
30 28 for fiscal year 2011=2012.

30 29 Sec. 83. 2010 Iowa Acts, chapter 1185, section 1, subsection  
30 30 1, paragraph a, is amended by adding the following new  
30 31 unnumbered paragraph:

30 32 NEW UNNUMBERED PARAGRAPH In cases that are not considered  
30 33 unusually complicated pursuant to the rules adopted by the  
30 34 state public defender where either the state public defender  
30 35 approves a claim in excess of a fee limitation established



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31 1 under section 13B.4, subsection 4, or upon the court ordering  
31 2 the state public defender to approve such a claim in excess  
31 3 of the fee limitations, an amount equal to the portion of the  
31 4 claim in excess of the fee limitation approved by the state  
31 5 public defender or ordered by the court shall be transferred  
31 6 by the judicial branch from the moneys appropriated in this  
31 7 lettered paragraph to the revolving fund created in section  
31 8 602.1302. Notwithstanding section 602.1302, the judicial  
31 9 branch shall transfer moneys credited to the revolving fund  
31 10 pursuant to this unnumbered paragraph to the state public  
31 11 defender to be credited to the indigent defense fund created  
31 12 in section 815.11. Moneys credited to the indigent defense  
31 13 fund pursuant to this unnumbered paragraph shall be used to  
31 14 reimburse the state public defender by applying the same  
31 15 procedures used to reimburse the state public defender for  
31 16 attorney fees paid pursuant to section 600A.6B.

31 17 Sec. 84. 2010 Iowa Acts, chapter 1190, section 10, is  
31 18 amended to read as follows:

31 19 SEC. 10. STATE PUBLIC DEFENDER. There is appropriated from  
31 20 the general fund of the state to the office of the state public  
31 21 defender of the department of inspections and appeals for the  
31 22 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
31 23 the following amounts, or so much thereof as is necessary, to  
31 24 be allocated as follows for the purposes designated:

31 25 1. For salaries, support, maintenance, miscellaneous  
31 26 purposes, and for not more than the following full-time  
31 27 equivalent positions:

31 28 ..... \$ 21,743,182  
31 29 ..... FTEs 203.00

31 30 2. For the fees of court-appointed attorneys for indigent  
31 31 adults and juveniles, in accordance with section 232.141 and  
31 32 chapter 815:

31 33 ..... \$ ~~15,680,929~~  
31 34 ..... 31,680,929

31 35 Sec. 85. EFFECTIVE UPON ENACTMENT. This division of this



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32 1 Act, being deemed of immediate importance, takes effect upon  
32 2 enactment.

32 3 DIVISION X

32 4 POWER FUND ==== OFFICE OF ENERGY INDEPENDENCE

32 5 Sec. 86. REPEAL. Chapter 469, Code 2011, is repealed.

32 6 Sec. 87. TRANSITION PROVISIONS ==== DEPARTMENTAL

32 7 AUTHORITY. Beginning on the effective date of this section,  
32 8 the department of natural resources shall assume the duties of  
32 9 the office of energy independence until otherwise determined  
32 10 by the general assembly. During the 2011 session of the  
32 11 Eighty=fourth General Assembly, the joint appropriations  
32 12 subcommittee on agriculture and natural resources shall include  
32 13 Code provisions relating to the repeal of chapter 469 and the  
32 14 transfer of departmental authority from the office of energy  
32 15 independence to another state entity in a proposed committee  
32 16 on appropriations bill.

32 17 Sec. 88. TRANSITION PROVISIONS ==== CONTINUATION OF GRANTS.

32 18 1. Any moneys remaining in any account or fund under the  
32 19 control of the office of energy independence on the effective  
32 20 date of this division relative to the provisions of this  
32 21 division shall be transferred to a comparable fund or account  
32 22 under the control of the department of natural resources for  
32 23 such purposes, until otherwise determined by the general  
32 24 assembly. Notwithstanding section 8.33, the moneys transferred  
32 25 in accordance with this subsection shall not revert to the  
32 26 account or fund from which appropriated or transferred.

32 27 2. Any license, permit, or contract issued or entered  
32 28 into by the office of energy independence relative to the  
32 29 provisions of this division in effect on the effective date  
32 30 of this division shall continue in full force and effect  
32 31 pending transfer of such licenses, permits, or contracts to the  
32 32 department of natural resources, until otherwise determined by  
32 33 the general assembly.

32 34 3. Grants or loans awarded from the Iowa power fund pursuant  
32 35 to section 469.9 prior to the effective date of this division



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33 1 shall continue as provided by the terms of the grants or  
33 2 loans and shall be administered by the department of natural  
33 3 resources, until otherwise determined by the general assembly.  
33 4 4. Federal funds utilized by the director of the office  
33 5 of energy independence prior to the effective date of this  
33 6 division to employ personnel necessary to administer the  
33 7 provisions of this division shall be applicable to the transfer  
33 8 of such personnel from the office of energy independence to  
33 9 the department of natural resources, or other state agency as  
33 10 determined by the general assembly.

33 11 Sec. 89. EFFECTIVE UPON ENACTMENT. This division of this  
33 12 Act, being deemed of immediate importance, takes effect upon  
33 13 enactment.

33 14 DIVISION XI  
33 15 REBUILD IOWA OFFICE

33 16 Sec. 90. Section 16.191, subsection 2, paragraph e, Code  
33 17 2011, is amended to read as follows:

33 18 e. ~~The executive director of the rebuild Iowa office~~  
~~33 19 or the director's designee until June 30, 2011, and then~~  
~~33 20 the~~ administrator of the homeland security and emergency  
33 21 management division of the department of public defense or the  
33 22 administrator's designee.

33 23 Sec. 91. Section 29C.20B, subsection 1, Code 2011, is  
33 24 amended to read as follows:

33 25 1. ~~The rebuild Iowa office shall work with the~~ department  
33 26 of human services and nonprofit, voluntary, and faith-based  
33 27 organizations active in disaster recovery and response  
33 28 in coordination with the homeland security and emergency  
33 29 management division shall work to establish a statewide  
33 30 system of disaster case management to be activated following  
33 31 the governor's proclamation of a disaster emergency or the  
33 32 declaration of a major disaster by the president of the  
33 33 United States for individual assistance purposes. Under the  
33 34 system, the department of human services shall coordinate  
33 35 case management services locally through local committees as





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34 1 established in each local emergency management commission's  
34 2 emergency plan. ~~Beginning July 1, 2011, the department of~~  
~~34 3 human services shall assume the duties of the rebuild Iowa~~  
~~34 4 office under this subsection.~~  
34 5 Sec. 92. Section 29C.20B, subsection 2, unnumbered  
34 6 paragraph 1, Code 2011, is amended to read as follows:  
34 7 The department of human services, in conjunction with  
34 8 ~~the rebuild Iowa office,~~ the homeland security and emergency  
34 9 management division, and an Iowa representative to the national  
34 10 voluntary organizations active in disaster, shall adopt rules  
34 11 pursuant to chapter 17A to create coordination mechanisms  
34 12 and standards for the establishment and implementation of  
34 13 a statewide system of disaster case management which shall  
34 14 include at least all of the following:  
34 15 Sec. 93. Section 103A.8C, subsection 1, Code 2011, is  
34 16 amended to read as follows:  
34 17 1. The commissioner, after consulting with and receiving  
34 18 recommendations from the department of public defense, and  
34 19 the department of natural resources, ~~and the rebuild Iowa~~  
~~34 20 office,~~ shall adopt rules pursuant to chapter 17A specifying  
34 21 standards and requirements for design and construction of safe  
34 22 rooms and storm shelters. In developing these standards, the  
34 23 commissioner shall consider nationally recognized standards.  
34 24 The standards and requirements shall be incorporated into the  
34 25 state building code established in section 103A.7, but shall  
34 26 not be interpreted to require the inclusion of a safe room or  
34 27 storm shelter in a building construction project unless such  
34 28 inclusion is expressly required by another statute or by a  
34 29 federal statute or regulation. However, if a safe room or  
34 30 storm shelter is included in any building construction project  
34 31 which reaches the design development phase on or after January  
34 32 1, 2011, compliance with the standards developed pursuant to  
34 33 this section shall be required.  
34 34 Sec. 94. Section 466B.3, subsection 4, paragraph n, Code  
34 35 2011, is amended by striking the paragraph.



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35 1 Sec. 95. 2009 Iowa Acts, chapter 169, section 10, subsection  
35 2 6, is amended to read as follows:

35 3 6. This section is repealed June 30, 2011 on the effective  
35 4 date of this section of this 2011 Iowa Act.

35 5 Sec. 96. 2010 Iowa Acts, chapter 1189, section 28, is  
35 6 amended to read as follows:

35 7 SEC. 28. REBUILD IOWA OFFICE.

35 8 1. There is appropriated from the general fund of the state  
35 9 to the rebuild Iowa office for the fiscal year beginning July  
35 10 1, 2010, and ending June 30, 2011, the following amount, or  
35 11 so much thereof as is necessary, to be used for the purposes  
35 12 designated:

35 13 For salaries, support, maintenance, and miscellaneous  
35 14 purposes, and for not more than the following full-time  
35 15 equivalent positions:

35 16 .....	\$	647,014
35 17 .....		531,014
35 18 .....	FTEs	12.00

35 19 It is the intent of the general assembly that the rebuild  
35 20 Iowa office shall be repealed effective June 30, 2011, and  
35 21 shall not receive an appropriation from the general fund of the  
35 22 state after that date.

35 23 2. a. Of the moneys appropriated in this section, \$50,000  
35 24 shall be transferred to the homeland security and emergency  
35 25 management division of the department of public defense for  
35 26 purposes of assuming the duties of the rebuild Iowa office.

35 27 b. For purposes of assuming the duties of the rebuild Iowa  
35 28 office, the homeland security and emergency management division  
35 29 of the department of public defense shall be authorized an  
35 30 additional 0.5 FTEs above those otherwise authorized to the  
35 31 division.

35 32 c. This subsection shall take effect on the effective date  
35 33 of this section of this 2011 Iowa Act.

35 34 Sec. 97. REBUILD IOWA OFFICE ELIMINATION ==== TRANSFER OF  
35 35 DUTIES. Beginning on the effective date of this division



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36 1 of this Act, the homeland security and emergency management  
36 2 division of the department of public defense shall assume all  
36 3 duties of the rebuild Iowa office.

36 4 Sec. 98. EFFECTIVE UPON ENACTMENT. This division of this  
36 5 Act, being deemed of immediate importance, takes effect upon  
36 6 enactment.

36 7

DIVISION XII

36 8

GROW IOWA VALUES FUND AND PROGRAM

36 9 Sec. 99. Section 15.103, subsection 6, Code 2011, is amended  
36 10 to read as follows:

36 11 6. As part of the organizational structure of the  
36 12 department, the board shall establish a due diligence  
36 13 committee and a loan and credit guarantee committee composed  
36 14 of members of the board. The committees shall serve in an  
36 15 advisory capacity to the board and shall carry out any duties  
36 16 assigned by the board in relation to programs administered  
36 17 by the department. The loan and credit guarantee committee  
36 18 shall advise the board on the winding up of loan guarantees  
36 19 made under the loan and credit guarantee program established  
36 20 pursuant to section 15E.224, Code 2009, ~~and on the proper~~  
~~36 21 amount of the allocation described in section 15G.111,~~  
~~36 22 subsection 4, paragraph "g".~~

36 23 Sec. 100. Section 15.104, subsection 1, Code 2011, is  
36 24 amended by striking the subsection.

36 25 Sec. 101. Section 15.104, subsection 8, paragraphs b and i,  
36 26 Code 2011, are amended by striking the paragraphs.

36 27 Sec. 102. Section 15.104, subsection 8, paragraph j, Code  
36 28 2011, is amended to read as follows:

36 29 j. Renewable fuel programs. A detailed accounting of  
36 30 expenditures in support of renewable fuel infrastructure  
36 31 programs, as provided in sections 15G.203 and 15G.204. ~~The~~  
~~36 32 renewable fuel infrastructure board established in section~~  
~~36 33 15G.202 shall approve that portion of the department's annual~~  
~~36 34 report regarding projects supported from the grow Iowa values~~  
~~36 35 fund created in section 15G.111.~~ This paragraph is repealed on



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37 1 July 1, 2012.  
37 2     Sec. 103. Section 15.327, Code 2011, is amended by adding  
37 3 the following new subsections:  
37 4     NEW SUBSECTION. 01. "Base employment level" means the  
37 5 number of full-time equivalent positions at a business,  
37 6 as established by the department and a business using the  
37 7 business's payroll records, as of the date a business applies  
37 8 for financial assistance under the program.  
37 9     NEW SUBSECTION. 3A. "County wage" means the average hourly  
37 10 compensation rates, excluding the value of nonwage benefits for  
37 11 comparable jobs, from the most recent four quarters of wage  
37 12 and employment information from the quarterly covered wage and  
37 13 employment data report issued by the department of workforce  
37 14 development.  
37 15     NEW SUBSECTION. 7A. "Full-time equivalent position" means  
37 16 a non-part-time position for the number of hours or days per  
37 17 week considered to be full-time work for the kind of service  
37 18 or work performed for an employer. Typically, a full-time  
37 19 equivalent position requires two thousand eighty hours of work  
37 20 in a calendar year, including all paid holidays, vacations,  
37 21 sick time, and other paid leave.  
37 22     NEW SUBSECTION. 7B. "Maintenance period" means the period  
37 23 of time between the project completion date and maintenance  
37 24 period completion date.  
37 25     NEW SUBSECTION. 12A. "Regional wage" means the average  
37 26 hourly compensation rates, excluding the value of nonwage  
37 27 benefits for comparable jobs, from the most recent four  
37 28 quarters of wage and employment information from the quarterly  
37 29 covered wage and employment data report issued by the  
37 30 department of workforce development.  
37 31     Sec. 104. Section 15.327, subsections 1, 4, 7, 8, 10, 12,  
37 32 and 13, Code 2011, are amended by striking the subsections and  
37 33 inserting in lieu thereof the following:  
37 34     1. "Benefit" means nonwage compensation provided to an  
37 35 employee. Benefits typically include medical and dental



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38 1 insurance plans, pension, retirement, and profit-sharing plans,  
38 2 child care services, life insurance coverage, vision insurance  
38 3 coverage, disability insurance coverage, and any other nonwage  
38 4 compensation as determined by the board.  
38 5 4. "Created job" means a new, permanent, full-time  
38 6 equivalent position added to a business's payroll in excess of  
38 7 the business's base employment level.  
38 8 7. "Fiscal impact ratio" means a ratio calculated by  
38 9 estimating the amount of taxes to be received from a business  
38 10 by the state and dividing the estimate by the estimated cost  
38 11 to the state of providing certain financial incentives to  
38 12 the business, reflecting a ten-year period of taxation and  
38 13 incentives and expressed in terms of current dollars. For  
38 14 purposes of the program, "fiscal impact ratio" does not include  
38 15 taxes received by political subdivisions.  
38 16 8. "Maintenance period completion date" means the date on  
38 17 which the maintenance period ends.  
38 18 10. "Project completion date" means the date by which  
38 19 a recipient of financial assistance has agreed to meet all  
38 20 the terms and obligations contained in an agreement with the  
38 21 department as described in section 15.330.  
38 22 12. "Qualifying wage threshold" means the county wage or the  
38 23 regional wage, as calculated pursuant to subsections 3A and  
38 24 12A, whichever is lower.  
38 25 13. "Retained job" means a full-time equivalent position,  
38 26 in existence at the time an employer applies for financial  
38 27 assistance which remains continuously filled or authorized  
38 28 to be filled as soon as possible and which is at risk of  
38 29 elimination if the project for which the employer is seeking  
38 30 assistance does not proceed.  
38 31 Sec. 105. Section 15.329, subsection 2, Code 2011, is  
38 32 amended to read as follows:  
38 33 2. A business providing a sufficient package of benefits to  
38 34 each employee holding a created or retained job shall qualify  
38 35 for a credit against the qualifying wage threshold requirements



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39 1 described in subsection 1, paragraph "c". The credit shall be  
39 2 calculated and applied in the following manner: described in  
~~39 3 section 15C.112, subsection 4, paragraph "b".~~  
39 4 a. By multiplying the qualifying wage threshold of  
39 5 the county in which the business is located by one and  
39 6 three=tenths.  
39 7 b. By multiplying the result of paragraph "a" by one=tenth.  
39 8 c. The amount of the result of paragraph "b" shall be  
39 9 credited against the amount of the one hundred thirty percent  
39 10 qualifying wage threshold requirement that the business is  
39 11 required to meet under subsection 1, paragraph "c".  
39 12 d. The credit shall not be applied against the one hundred  
39 13 percent of qualifying wage threshold requirement described in  
39 14 subsection 1, paragraph "c".  
39 15 Sec. 106. Section 15.330, subsection 4, Code 2011, is  
39 16 amended to read as follows:  
39 17 4. A project completion date, a maintenance period  
39 18 completion date, the number of jobs to be created or retained,  
39 19 or certain other terms and obligations described in ~~section~~  
~~39 20 15C.112, subsection 1, paragraph "d"~~ an agreement, as the  
39 21 department deems necessary in order to make the requirements in  
39 22 project agreements uniform. The department, with the approval  
39 23 of the board, may adopt rules as necessary for making such  
39 24 requirements uniform. Such rules shall be in compliance with  
39 25 the provisions of this part ~~and with the provisions of chapter~~  
~~39 26 15C.~~  
39 27 Sec. 107. Section 15.335A, subsection 1, unnumbered  
39 28 paragraph 1, Code 2011, is amended to read as follows:  
39 29 Tax incentives are available to eligible businesses as  
39 30 provided in this section. The incentives are based upon the  
39 31 number of jobs created or retained that pay at least one  
39 32 hundred thirty percent of the qualifying wage threshold as  
39 33 computed pursuant to section ~~15C.112~~ 15.329, subsection 4 1,  
39 34 and the amount of the qualifying investment made according to  
39 35 the following schedule:



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40 1 Sec. 108. Section 15.335A, subsection 2, paragraphs b, c, f,  
40 2 and g, Code 2011, are amended by striking the paragraphs.

40 3 Sec. 109. Section 15.335A, subsection 5, Code 2011, is  
40 4 amended to read as follows:

40 5 5. The department shall negotiate the amount of tax  
40 6 incentives provided to an applicant under the program  
40 7 in accordance with this section ~~and section 15C.112, as~~  
~~40 8 applicable.~~

40 9 Sec. 110. Section 15A.7, subsection 3, Code 2011, is amended  
40 10 to read as follows:

40 11 3. That the employer shall agree to pay wages for the jobs  
40 12 for which the credit is taken of at least the county wage or  
40 13 the regional wage, as calculated ~~by the department~~ pursuant to  
40 14 section ~~15C.112, subsection 3~~ 15.327, subsections 3A and 12A,  
40 15 whichever is lower. Eligibility for the supplemental credit  
40 16 shall be based on a one-time determination of starting wages by  
40 17 the community college.

40 18 Sec. 111. Section 15E.193, subsection 1, paragraphs b  
40 19 through d, Code 2011, are amended to read as follows:

40 20 b. (1) The business shall provide a sufficient package of  
40 21 benefits to each employee holding a created or retained job.  
40 22 For purposes of this paragraph, "created job" and "retained job"  
40 23 have the same meaning as defined in section ~~15C.101~~ 15.327.

40 24 (2) The board, upon the recommendation of the department,  
40 25 shall adopt rules determining what constitutes a sufficient  
40 26 package of benefits.

40 27 c. The business shall pay a wage that is at least ninety  
40 28 percent of the qualifying wage threshold. For purposes of this  
40 29 paragraph, "qualifying wage threshold" has the same meaning as  
40 30 defined in section ~~15C.101~~ 15.327.

40 31 d. Creates or retains at least ten full-time equivalent  
40 32 positions and maintains them until the maintenance period  
40 33 completion date. For purposes of this paragraph, "maintenance  
40 34 period completion date" and "full-time equivalent position" have  
40 35 the same meanings as defined in section ~~15C.101~~ 15.327.



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41 1 Sec. 112. Section 15E.231, unnumbered paragraph 1, Code  
41 2 2011, is amended to read as follows:

41 3 ~~In order for an~~ An economic development region ~~to receive~~  
41 4 ~~moneys under the grow Iowa values financial assistance program~~  
41 5 ~~established in section 15C.112, an~~ shall establish a regional  
41 6 development plan. An economic development region's regional  
41 7 development plan must be approved by the department. An  
41 8 economic development region shall consist of not less than  
41 9 three counties, unless two contiguous counties have a combined  
41 10 population of at least three hundred thousand based on the  
41 11 most recent federal decennial census. An economic development  
41 12 region shall establish a focused economic development effort  
41 13 that shall include a regional development plan relating to one  
41 14 or more of the following areas:

41 15 Sec. 113. Section 15E.232, subsections 1, 3, 4, 5, 6, and 7,  
41 16 Code 2011, are amended by striking the subsections.

41 17 Sec. 114. Section 15E.351, subsection 1, Code 2011, is  
41 18 amended to read as follows:

41 19 1. The department shall establish and administer a business  
41 20 accelerator program to provide financial assistance for  
41 21 the establishment and operation of a business accelerator  
41 22 for technology-based, value-added agricultural, information  
41 23 solutions, alternative and renewable energy including the  
41 24 alternative and renewable energy sectors listed in section  
41 25 476.42, subsection 1, paragraph "a", or advanced manufacturing  
41 26 start-up businesses or for a satellite of an existing business  
41 27 accelerator. The program shall be designed to foster the  
41 28 accelerated growth of new and existing businesses through the  
41 29 provision of technical assistance. ~~The department, subject to~~  
41 30 ~~the approval of the economic development board, may provide~~  
41 31 ~~financial assistance under this section from moneys allocated~~  
41 32 ~~for regional financial assistance pursuant to section 15C.111,~~  
41 33 ~~subsection 9.~~

41 34 Sec. 115. Section 159A.6B, subsection 2, Code 2011, is  
41 35 amended to read as follows:





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42 1 2. The office may execute contracts in order to provide  
42 2 technical support and outreach services for purposes of  
42 3 assisting and educating interested persons as provided in this  
42 4 section. The office may also contract with a consultant to  
42 5 provide part or all of these services. The office may require  
42 6 that a person receiving assistance pursuant to this section  
42 7 contribute up to fifty percent of the amount required to  
42 8 support the costs of contracting with the consultant to provide  
42 9 assistance to the person. ~~The office shall assist the person~~  
~~42 10 in completing any technical information required in order to~~  
~~42 11 receive assistance by the department of economic development~~  
~~42 12 pursuant to the value-added agriculture component of the grow~~  
~~42 13 Iowa values financial assistance program established pursuant~~  
~~42 14 to section 15C.112.~~

42 15 Sec. 116. Section 455B.104, subsection 2, Code 2011, is  
42 16 amended by striking the subsection.

42 17 Sec. 117. 2010 Iowa Acts, chapter 1184, section 26, is  
42 18 amended to read as follows:

42 19 SEC. 26. GROW IOWA VALUES FUND.

42 20 1. There is appropriated from the rebuild Iowa  
42 21 infrastructure fund to the department of economic development  
42 22 for deposit in the grow Iowa values fund, for the fiscal year  
42 23 beginning July 1, 2010, and ending June 30, 2011, the following  
42 24 amount, notwithstanding section 8.57, subsection 6, paragraph  
42 25 "c":

42 26 ..... \$ 38,000,000

42 27 2. On the effective date of this section of this 2011 Iowa  
42 28 Act, any unobligated and unencumbered moneys appropriated in  
42 29 this section and section 27 of this 2010 Iowa Act, shall revert  
42 30 to the rebuild Iowa infrastructure fund.

42 31 Sec. 118. 2010 Iowa Acts, chapter 1184, section 27, is  
42 32 amended to read as follows:

42 33 SEC. 27. GROW IOWA VALUES FUND APPROPRIATION REDUCTION.

42 34 1. In lieu of the \$50,000,000 appropriated for the fiscal  
42 35 year beginning July 1, 2010, and ending June 30, 2011, from



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43 1 the grow Iowa values fund to the department of economic  
43 2 development pursuant to section 15G.111, subsection 3, there is  
43 3 appropriated from the grow Iowa values fund to the department  
43 4 of economic development for the fiscal year beginning July 1,  
43 5 2010, and ending June 30, 2011, \$38,000,000 for the purposes of  
43 6 making expenditures pursuant to chapter 15G.

43 7 2. On the effective date of this section of this 2011 Iowa  
43 8 Act, an entity receiving moneys appropriated pursuant to this  
43 9 section, with the exception of moneys allocated pursuant to  
43 10 section 28, subsections 2 and 5, of this 2010 Iowa Act, shall  
43 11 cease obligating or encumbering such moneys.

43 12 Sec. 119. REPEAL. Section 15E.233, Code 2011, is repealed.

43 13 Sec. 120. REPEAL. Sections 15G.101 and 15G.109 through  
43 14 15G.115, Code 2011, are repealed.

43 15 Sec. 121. REPEAL. Section 266.19, Code 2011, is repealed.

43 16 Sec. 122. REPEAL. Section 455B.433, Code 2011, is repealed.

43 17 Sec. 123. EFFECTIVE DATE. The provisions of this division  
43 18 of this Act amending 2010 Iowa Acts, chapter 1184, being deemed  
43 19 of immediate importance, take effect upon enactment.

43 20 DIVISION XIII

43 21 COUNTY MENTAL HEALTH

43 22 AND DISABILITY SERVICES

43 23 Sec. 124. COUNTY WAITING LISTS.

43 24 1. There is appropriated from the general fund of the  
43 25 state to the department of human services for the fiscal year  
43 26 beginning July 1, 2010, and ending June 30, 2011, the following  
43 27 amount, or so much thereof as is necessary, to be used for the  
43 28 purposes designated:

43 29 To be credited to the risk pool in the property tax relief  
43 30 fund created in chapter 426B and expended as provided in this  
43 31 section:

43 32 ..... \$ 25,000,000

43 33 2. The amount appropriated in this section is appropriated  
43 34 from the risk pool to the department of human services for  
43 35 distribution as provided in this section. Notwithstanding



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44 1 section 8.33, moneys appropriated in this section that remain  
44 2 unencumbered or unobligated at the close of the fiscal year  
44 3 shall not revert but shall remain available for expenditure  
44 4 for the purposes designated until the close of the succeeding  
44 5 fiscal year.  
44 6 3. a. For the purposes of this section, "services fund"  
44 7 means a county's mental health, mental retardation, and  
44 8 developmental disabilities services fund created in section  
44 9 331.424A.  
44 10 b. The risk pool board shall implement a process for  
44 11 distribution of the amount appropriated in this section to  
44 12 counties to be used to provide eligibility for services and  
44 13 other support payable from the counties' services funds for  
44 14 persons who are eligible under county management plan but  
44 15 due to insufficient funding are on a waiting list for the  
44 16 services and other support. The period addressed by the  
44 17 funding appropriated in this section begins on or after the  
44 18 effective date of this section and ends June 30, 2012. Of the  
44 19 amount appropriated in this section, up to \$5,000,000 shall be  
44 20 targeted to expand medical assistance program waiver slots for  
44 21 those waivers for which counties pay the nonfederal share of  
44 22 the costs.  
44 23 c. The general assembly finds that as of the time of  
44 24 enactment of this section, the funding appropriated in this  
44 25 section is sufficient to eliminate the need for continuing  
44 26 or reinstituting waiting lists during the period addressed  
44 27 by the appropriation. However, the process implemented by  
44 28 the risk pool board shall ensure there is adequate funding so  
44 29 that a person made eligible for services and other support  
44 30 from the waiting list would not be required to return to the  
44 31 waiting list if a later projection indicates the funding is  
44 32 insufficient to cover for the entire period all individuals  
44 33 removed from the waiting list pursuant to this section.  
44 34 d. The funding provided in this section is intended to  
44 35 provide necessary services for adults in need of mental health,



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45 1 mental retardation, or developmental disabilities services  
45 2 until improvements to the current system can be developed and  
45 3 enacted.  
45 4       Sec. 125. ADULT MENTAL HEALTH AND DISABILITY SERVICE SYSTEM  
45 5 REFORM.  
45 6       1. The general assembly finds there is need to reform the  
45 7 adult mental health and disability services system administered  
45 8 by counties to address the needs of persons with mental  
45 9 illness, mental retardation, or developmental disabilities.  
45 10 Issues with the current system include the following:  
45 11       a. Lack of a set of core services uniformly available  
45 12 throughout the state.  
45 13       b. Lack of uniformity in service expenditures throughout  
45 14 the state.  
45 15       c. Disparity in county levy rates for the services funds for  
45 16 this system.  
45 17       d. The need to improve the array of community-based services  
45 18 and services to avoid the use or continued use of crisis  
45 19 services.  
45 20       e. The need to expand the availability of dual diagnosis  
45 21 mental health and substance abuse services.  
45 22       f. The need to improve the consistency of services available  
45 23 to both youth and adult populations.  
45 24       g. The need to address the medical assistance (Medicaid)  
45 25 program changes in the federal Patient Protection and  
45 26 Affordable Care Act (PPACA) that will greatly expand the  
45 27 program's eligibility for persons in the service system  
45 28 beginning in calendar year 2014.  
45 29       h. Dissatisfaction with using county of legal settlement  
45 30 determinations to determine county and state financial  
45 31 responsibility for services.  
45 32       2. In order to address the issues identified in subsection  
45 33 1, the committees on human resources, appropriations, and ways  
45 34 and means of the senate and house of representatives shall  
45 35 propose legislation to address the following actions by the



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46 1 dates indicated:

46 2 a. Phase=in of the state fully assuming the nonfederal  
46 3 share of the costs for Medicaid program services now borne by  
46 4 counties by the implementation date of the Medicaid eligibility  
46 5 changes under PPACA.

46 6 b. Provide property tax relief and equity by having the  
46 7 state assume a greater role in funding the adult mental health  
46 8 and disability services system from counties by July 1, 2012,  
46 9 when the repeals contained in this division of this Act take  
46 10 effect.

46 11 c. Shift the balance of responsibilities for the services  
46 12 system between the state and counties so that the state  
46 13 ensures greater uniformity and there is sufficient size to  
46 14 develop effective services while maintaining the county role of  
46 15 bringing local resources together in unique ways that best meet  
46 16 the needs of clients, by implementing a new regional structure  
46 17 by July 1, 2012, when the repeals contained in this division  
46 18 of this Act take effect.

46 19 Sec. 126. Section 331.424A, Code 2011, is amended by adding  
46 20 the following new subsection:

46 21 NEW SUBSECTION. 6. This section is repealed July 1, 2012.

46 22 Sec. 127. Section 331.438, Code 2011, is amended by adding  
46 23 the following new subsection:

46 24 NEW SUBSECTION. 5. This section is repealed July 1, 2012.

46 25 Sec. 128. Section 331.439, Code 2011, is amended by adding  
46 26 the following new subsection:

46 27 NEW SUBSECTION. 10. This section is repealed July 1, 2012.

46 28 Sec. 129. Section 331.440, Code 2011, is amended by adding  
46 29 the following new subsection:

46 30 NEW SUBSECTION. 7. This section is repealed July 1, 2012.

46 31 Sec. 130. NEW SECTION. 426B.6 Future repeal.

46 32 This chapter is repealed July 1, 2012.

46 33 Sec. 131. CONFORMING PROVISIONS. The legislative services  
46 34 agency shall prepare a study bill for consideration by the  
46 35 committees on human resources of the senate and house of



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47 1 representatives for the 2012 legislative session, providing  
47 2 conforming Code changes for implementation of the repeal  
47 3 provisions contained in this division of this Act.  
47 4 Sec. 132. EFFECTIVE UPON ENACTMENT. This division of this  
47 5 Act, being deemed of immediate importance, takes effect upon  
47 6 enactment.

47 7 EXPLANATION

47 8 This bill relates to public funding and regulatory matters  
47 9 and makes, reduces, and transfers appropriations and revises  
47 10 fund amounts. The bill is organized into divisions.

47 11 TAX RELIEF FUND. This division creates the tax relief fund  
47 12 in new Code section 8.57E. The fund is to be used to make  
47 13 appropriations providing tax relief. Legislative intent is  
47 14 provided to enact appropriations for purposes of tax relief  
47 15 pursuant to recommendations made by the general assembly's  
47 16 standing committees on ways and means.

47 17 Code section 8.55 is amended to provide that when the Iowa  
47 18 economic emergency fund achieves its maximum balance the excess  
47 19 funds are transferred to the tax relief fund instead of the  
47 20 general fund of the state.

47 21 Code section 8.58, exempting the balances in existing  
47 22 reserve funds from being considered in the application of any  
47 23 formula, index, or other statutory triggering mechanism which  
47 24 would affect appropriations, payments, or taxation rates, and  
47 25 by an arbitrator or collective bargaining negotiation under  
47 26 Code chapter 20, is amended by adding the new tax relief fund  
47 27 to the list.

47 28 The division takes effect upon enactment, applies to  
47 29 transfers made from the Iowa economic emergency fund to the tax  
47 30 relief fund on or after the effective date, and such transfers  
47 31 are required to be incorporated in the state general fund  
47 32 expenditure limitation calculated for fiscal year 2011=2012.

47 33 UNIFORM PROVISIONS. This division includes requirements  
47 34 applicable across state government.

47 35 Along with new Code section 8A.440, which is also included



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48 1 in this division, a temporary law provision requires the  
48 2 state's executive and judicial branch authorities responsible  
48 3 for collective bargaining negotiations with applicable state  
48 4 employee organizations, to discuss health insurance coverage  
48 5 of state employees and their families in order to renegotiate  
48 6 such coverage to achieve cost savings for the state. One of  
48 7 the options to be discussed is a required monthly payment by  
48 8 employees of at least \$50 of the cost of single coverage or a  
48 9 like increase in the employee cost for family coverage.  
48 10 Executive branch agencies are made subject to a limitation  
48 11 on expenditures for office supplies, outside services purchase,  
48 12 equipment purchases, information technology, and marketing  
48 13 equal to 50 percent of the unexpended or unencumbered balances  
48 14 remaining from the amounts budgeted for such purposes for the  
48 15 remainder of fiscal year 2010=2011. If another provision  
48 16 of the bill directs an agency to apply a limitation on  
48 17 expenditures made for information technology or reduces the  
48 18 information technology portion of an appropriation made to the  
48 19 agency, that limitation or reduction applies in lieu of the  
48 20 limitation on expenditures for information technology otherwise  
48 21 applicable under this provision. In addition, authorization  
48 22 of out-of-state travel paid for in whole or in part from the  
48 23 general fund of the state for the remainder of fiscal year  
48 24 2010=2011 is prohibited, unless a waiver is approved by the  
48 25 executive council.  
48 26 The revenue estimating conference is required to meet in  
48 27 February or March 2011 upon request of the speaker of the house  
48 28 or senate majority leader. In addition, to regularly issued  
48 29 estimates, the conference is required to provide estimates for  
48 30 fiscal year 2012=2013.  
48 31 Code section 7E.3, relating to the powers and duties of the  
48 32 heads of state departments and independent agencies, is amended  
48 33 to include a duty to ensure the public benefits administered  
48 34 by the department or agency are not provided to adults who are  
48 35 unauthorized aliens not lawfully present in the United States.



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49 1 New Code section 8A.440 requires state employees included  
49 2 in or not covered by collective bargaining as provided in Code  
49 3 chapter 20 to pay at least \$50 per month of the total premium  
49 4 for state group health insurance for single persons. The  
49 5 requirement applies to state employees covered by collective  
49 6 bargaining agreements entered into on or after the effective  
49 7 date of the division. Current law does not specify a minimum  
49 8 required premium payment.  
49 9 Code section 68B.8 is amended to prohibit a state agency  
49 10 of the executive branch of state government from employing a  
49 11 person whose position with the agency is primarily representing  
49 12 the agency relative to the passage, defeat, approval, or  
49 13 modification of legislation that is being considered by the  
49 14 general assembly. A person who knowingly and intentionally  
49 15 violates this new provision as provided under Code section  
49 16 68B.34 is guilty of a serious misdemeanor and may be  
49 17 reprimanded, suspended, or dismissed from the person's position  
49 18 or otherwise sanctioned. A serious misdemeanor is punishable  
49 19 by confinement for not more than one year and a fine of at least  
49 20 \$315 but not more than \$1,875.  
49 21 The division takes effect upon enactment.  
49 22 ADMINISTRATION AND REGULATION. This division includes  
49 23 provisions applicable to administration and regulatory state  
49 24 agencies.  
49 25 The joint appropriations subcommittee on administration and  
49 26 regulation is required to submit by April 4, 2010, proposed  
49 27 legislation to the committees on appropriations providing  
49 28 for eliminating and selling the pool of general use vehicles  
49 29 maintained in Polk county and outsourcing state vehicle leasing  
49 30 to a private entity. Until the close of fiscal year, the  
49 31 department of administrative services is designated as the sole  
49 32 department to operate the vehicle pool and is prohibited from  
49 33 purchasing new passenger vehicles for the pool.  
49 34 The division includes a requirement for the department  
49 35 of administrative services to locate state employees in





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50 1 office space in the most cost=efficient manner possible. The  
50 2 department is prohibited from paying penalties for the early  
50 3 termination of a lease for office space outside of the capitol  
50 4 complex.

50 5 The bill requires the Iowa telecommunications and technology  
50 6 commission to implement a request for proposals process to sell  
50 7 or lease the Iowa communications network. The bill requires  
50 8 the sale to be concluded or the lease to commence during the  
50 9 fiscal year beginning July 1, 2011.

50 10 The department's technology service purchasing for the  
50 11 remainder of fiscal year 2010=2011 is limited to 50 percent of  
50 12 the unexpended amount remaining as of the division's effective  
50 13 date.

50 14 The department of management is directed to designate the  
50 15 department of administrative services as the sole provider for  
50 16 information technology services for purposes of providing such  
50 17 services to agencies and other governmental entities, with  
50 18 certain specified exceptions.

50 19 The appropriation made to the Iowa ethics and campaign  
50 20 disclosure board in 2010 Iowa Acts, chapter 1189, section 7,  
50 21 for fiscal year 2010=2011, is reduced.

50 22 AGRICULTURE AND NATURAL RESOURCES. This division addresses  
50 23 agriculture and natural resources.

50 24 The department of natural resources is prohibited from  
50 25 entering into any new arrangement to acquire or control new  
50 26 property, as defined by the bill, for the period from the  
50 27 provision's effective date through the close of fiscal year  
50 28 2010=2011. The provision takes effect upon enactment.

50 29 ECONOMIC DEVELOPMENT. This division addresses economic  
50 30 development.

50 31 The division requires the department of cultural affairs to,  
50 32 within six months of the effective date of this Code section,  
50 33 find new storage space for the storage of state records.

50 34 The save our small business fund and program in Code sections  
50 35 15.300 and 15.301 are repealed and moneys appropriated to the



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51 1 fund are eliminated. However, following the repeal, loans  
51 2 awarded from the fund prior to the repeal are continued as  
51 3 provided by the terms of the loans.

51 4 A limitation is applied to the moneys expended by the  
51 5 department of cultural affairs for purposes of the great  
51 6 places program. The limitation is equal to any unexpended or  
51 7 unencumbered amount on the effective date of the division.

51 8 The division repeals Code section 15.421, which relates to  
51 9 the generation Iowa commission.

51 10 2010 Iowa Acts, chapter 1186, is amended to require the  
51 11 department of transportation, after July 1, 2011, to not renew  
51 12 membership in North America's supercorridor coalition.

51 13 The division takes effect upon enactment.

51 14 EDUCATION. This division addresses education.

51 15 An appropriation made to the department of education in 2010  
51 16 Iowa Acts, chapter 1183, is amended to reduce the amount for  
51 17 general administration.

51 18 The funding for implementation of the statewide core  
51 19 curriculum for schools and for the career information and  
51 20 decision-making system are eliminated and legislative intent is  
51 21 stated for amending the law relating to the curriculum.

51 22 For the period beginning on the effective date of this  
51 23 section through the close of FY 2010=2011, library acquisition  
51 24 and information technology expenditures are limited at all  
51 25 libraries at the university of Iowa, Iowa state university of  
51 26 science and technology, and the university of northern Iowa.  
51 27 The limitation is equal to 50 percent of the unexpended or  
51 28 unencumbered amount that the universities under state board  
51 29 of regents have budgeted or otherwise designated for purposes  
51 30 of such acquisitions from the appropriations made to the  
51 31 universities from all sources, as of the effective date of this  
51 32 division. The division states that appropriations made to the  
51 33 universities from the general fund of the state in 2010 Iowa  
51 34 Acts, chapter 1183, are amended in this bill to reflect the  
51 35 expenditure limitation.



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52 1 A similar library acquisition limitation is applied to the  
52 2 state library under the department of education.  
52 3 For the period beginning on enactment and ending June 30,  
52 4 2012, the state board of regents is prohibited from approving  
52 5 paid leaves of absence, also known as professional development  
52 6 assignments sabbaticals, for any faculty member.  
52 7 The statewide voluntary preschool program in Code chapter  
52 8 256C is repealed effective July 1, 2011, along with the  
52 9 associated school aid funding provisions. A statement of  
52 10 legislative intent calls for filling the needs addressed by the  
52 11 program through expansion of the preschool tuition assistance  
52 12 program provided through the school ready children grant  
52 13 program administered under the early childhood Iowa initiative.  
52 14 The bill makes conforming amendments.  
52 15 The standing committees on education of the senate and house  
52 16 of representatives are required to recommend legislation to  
52 17 be effective July 1, 2011, revising the tuition grant program  
52 18 provisions administered by the college student aid commission  
52 19 under chapter 261 so that the annual grant amount awarded  
52 20 under the program is determined after the other aid available  
52 21 to the student has been determined. The committees are also  
52 22 required to consider providing need-based tuition grants based  
52 23 upon a sliding scale that provides greater amounts for those  
52 24 with lower incomes and lesser amounts for those with greater  
52 25 incomes.  
52 26 The joint appropriations subcommittee on education  
52 27 is required to consider the recommended legislation in  
52 28 recommending an amount to appropriate for tuition grants for  
52 29 fiscal year 2011=2012. The joint subcommittee is also required  
52 30 to implement provisions to consolidate administrative functions  
52 31 at the state board of regents and the institutions under the  
52 32 board in order to reduce the amount that would otherwise  
52 33 be budgeted for administrative functions for fiscal year  
52 34 2011=2012.  
52 35 Code section 257.35 is amended to reduce area education



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53 1 agencies budgets for fiscal year 2010=2011 and subsequent  
53 2 fiscal years by \$10 million.  
53 3 The division takes effect upon enactment except as otherwise  
53 4 provided.  
53 5 HEALTH AND HUMAN SERVICES. This division addresses health  
53 6 and human services programs.  
53 7 Code section 217.6, relating to rules and regulations of  
53 8 the department of human services, is amended to require those  
53 9 adopted for the public benefits administered by the department  
53 10 to apply the residency eligibility restrictions required by  
53 11 federal and state law.  
53 12 The department on aging is required to submit a plan by  
53 13 February 25, 2011, to various legislative committees to reduce  
53 14 the number of area agencies on aging to not more than five  
53 15 effective July 1, 2011.  
53 16 The joint appropriations subcommittee on health and human  
53 17 services is directed to develop and include in appropriations  
53 18 legislation a new reimbursement methodology for juvenile  
53 19 shelter care providers for use beginning July 1, 2011. The new  
53 20 reimbursement methodology is required to end the practice of  
53 21 providing reimbursement for unused shelter care beds.  
53 22 The appropriation made in 2009 Iowa Acts, chapter 183, for  
53 23 the costs of the legislative health care coverage commission  
53 24 is reduced.  
53 25 Appropriations and allocations made to the department of  
53 26 public health in 2010 Iowa Acts, chapter 1192, for addictive  
53 27 disorders, community capacity, healthy aging, and public  
53 28 protection, are reduced. The department is specifically  
53 29 required to cancel smoking cessation and prevention efforts,  
53 30 including the initiative just eliminate lies and other  
53 31 youth programs and the quitline Iowa initiative. The joint  
53 32 appropriations subcommittee on health and human services is  
53 33 required to consult with the standing committees on human  
53 34 resources to recommend legislation to revise the youth programs  
53 35 effective July 1, 2011, in order to eliminate unnecessary and



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54 1 wasteful expenditures.  
54 2     Family planning waiver provisions under the Medicaid program  
54 3 are revised in 2010 Iowa Acts, chapter 1192, section 11, to  
54 4 reduce income eligibility from the current 200 percent to  
54 5 133 percent of the federal poverty level, as soon as federal  
54 6 approval can be obtained.  
54 7     The division takes effect upon enactment.  
54 8     INFRASTRUCTURE AND TRANSPORTATION. This division includes  
54 9 provisions involving infrastructure and transportation  
54 10 appropriations.  
54 11     The section addressing the living roadway trust fund  
54 12 limits moneys expended by the department of transportation  
54 13 for purposes of the integrated roadside vegetation management  
54 14 coordinator and support. The limit is equal to any unexpended  
54 15 or unencumbered amount remaining on the effective date of the  
54 16 division.  
54 17     2010 Iowa Acts, chapter 1184, eliminates an appropriation  
54 18 from the rebuild Iowa infrastructure fund to the department of  
54 19 natural resources for FY 2010=2011 for purposes of an asset  
54 20 manager at Honey creek resort state park.  
54 21     Code chapter 18B, relating to land use smart planning, is  
54 22 repealed. The division also eliminates the Iowa smart planning  
54 23 task force. Any award to a city or county that applies smart  
54 24 planning principles and guidelines pursuant to Code sections  
54 25 18B.1 and 18B.23, Code 2011, granted from moneys appropriated  
54 26 to the Iowa jobs board for a disaster prevention program  
54 27 that provides grants to cities and counties applying smart  
54 28 planning principles and guidelines, for which a contract has  
54 29 not been entered into by the effective date of the division, is  
54 30 rescinded. Additional such awards cannot be granted after the  
54 31 effective date of the division.  
54 32     An appropriation for purposes of a free shuttle service in  
54 33 Des Moines is reduced.  
54 34     Three appropriations related to passenger rail service made  
54 35 in 2009 Iowa Acts, chapter 184 and 2010 Iowa Acts, chapter



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House Study Bill 1 continued

55 1 1184, along with a statement of legislative intent to provide  
55 2 funding of up to \$20 million over a four-year period to match  
55 3 federal funds, are eliminated or reduced.  
55 4 An appropriation is eliminated that was made in 2008 Iowa  
55 5 Acts, chapter 1179, for fiscal year 2008=2009 from the rebuild  
55 6 Iowa infrastructure fund to the department of transportation  
55 7 for purposes of a depot and platform to accommodate future  
55 8 Amtrak service from Dubuque to Chicago.  
55 9 The division takes effect upon enactment.  
55 10 JUSTICE SYSTEM. This division addresses the justice system  
55 11 and provides a fiscal year 2010=2011 supplemental appropriation  
55 12 for the state public defender for indigent defense.  
55 13 The appropriation made to the judicial branch in 2010 Iowa  
55 14 Acts, chapter 1185, is amended to require the judicial branch  
55 15 to transfer money from the appropriation to the state public  
55 16 defender for deposit into the indigent defense fund when an  
55 17 attorney fee claim exceeds the fee limitations established in  
55 18 Code section 13B.4 if the case is not unusually complicated as  
55 19 defined under 493 IAC 12.5(4). After the immediate effective  
55 20 date of this amendment, in each case where the state public  
55 21 defender approves or the court orders an attorney fee claim in  
55 22 excess of the fee limitations and the case is not unusually  
55 23 complicated, the judicial branch is required to transfer an  
55 24 amount equal to the portion of the fee claim in excess of the  
55 25 fee limitations to the jury and witness fee fund established in  
55 26 Code section 602.1302 for transfer to the state public defender  
55 27 and eventual deposit into the indigent defense fund. The  
55 28 transfers in this division are in response to Simmons v. State  
55 29 Public Defender, No. 07=0870 (Iowa 2010).  
55 30 The judiciary committees of the senate and house of  
55 31 representatives are required to recommend legislation to be  
55 32 effective July 1, 2011, providing for a single chief juvenile  
55 33 court officer position for the state instead of a chief  
55 34 officer for each judicial district. The joint appropriations  
55 35 subcommittee on justice system is required to consider



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House Study Bill 1 continued

56 1 the recommended legislation in recommending an amount to  
56 2 appropriate for the judicial branch for fiscal year 2011=2012.  
56 3     This division takes effect upon enactment.  
56 4     POWER FUND. This division addresses the power fund and the  
56 5 office of energy independence.  
56 6     Code chapter 469 is repealed, which provides for the  
56 7 establishment and administration of the office of energy  
56 8 independence, the Iowa power fund, and related renewable energy  
56 9 and energy efficiency projects.  
56 10     The division provides that the department of natural  
56 11 resources shall assume the duties of the office of energy  
56 12 independence until otherwise determined by the general  
56 13 assembly. During the 2011 Legislative Session of the  
56 14 Eighty=fourth General Assembly, the joint appropriations  
56 15 subcommittee on agriculture and natural resources shall include  
56 16 Code provisions relating to the transfer of departmental  
56 17 authority from the office of energy independence to another  
56 18 state entity in a proposed committee on appropriations bill.  
56 19     Transition provisions are included regarding the transfer of  
56 20 moneys retained in any account or fund under the control of the  
56 21 office of energy independence on the division's effective date,  
56 22 the continuation of any license, permit, or contract issued  
56 23 or entered into by the office in effect on the division's  
56 24 effective date, and the continuation of grants or loans awarded  
56 25 from the Iowa power fund prior to the division's effective  
56 26 date. Transition provisions are also included relating to the  
56 27 transfer of federal funds being utilized by the director of  
56 28 the office prior to the division's effective date to employ  
56 29 personnel necessary to administer the provisions of the  
56 30 division to the department or other state agency as determined  
56 31 by the general assembly.  
56 32     The division takes effect upon enactment.  
56 33     REBUILD IOWA OFFICE. This division addresses the rebuild  
56 34 Iowa office.  
56 35     Currently, the rebuild Iowa office is scheduled to be



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House Study Bill 1 continued

57 1 repealed on June 30, 2011. This division changes the repeal  
57 2 date to be effective upon enactment and makes conforming  
57 3 amendments. All duties of the office are transferred to the  
57 4 homeland security and emergency management division of the  
57 5 department of public defense.

57 6 This division takes effect upon enactment.

57 7 GROW IOWA VALUES FUND AND PROGRAM. This division addresses  
57 8 the grow Iowa values fund.

57 9 This division repeals Code sections related to the grow  
57 10 Iowa values fund and financial assistance program and makes  
57 11 conforming amendments. The division amends two 2010 Iowa Acts  
57 12 provisions to prohibit the department of economic development  
57 13 from further obligating any moneys appropriated for purposes  
57 14 of the grow Iowa values fund for fiscal year 2010=2011 and  
57 15 requires that unobligated and unencumbered moneys shall revert  
57 16 to the rebuild Iowa infrastructure fund, which take effect upon  
57 17 enactment.

57 18 COUNTY MENTAL HEALTH AND DISABILITY SERVICES. This division  
57 19 relates to the county administered system for adult mental  
57 20 health, mental retardation, and developmental disabilities  
57 21 services.

57 22 An appropriation is made from the general fund of the state  
57 23 to the risk pool for such county services to be used for the  
57 24 period beginning on the effective date of the division through  
57 25 June 30, 2012, to pay for the service costs of eligible persons  
57 26 who are on a county waiting list for the services.

57 27 Legislative purpose and findings are stated in a section  
57 28 addressing reform of the county administered system. The  
57 29 standing committees on human resources, appropriations, and  
57 30 ways and means of the senate and house of representatives are  
57 31 directed to propose legislation necessary to implement various  
57 32 actions by dates specified in the section and to address the  
57 33 Code repeals contained in the division.

57 34 The following Code provisions are repealed on July 1, 2012:  
57 35 section 331.424A, establishing county mental health, mental





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House Study Bill 1 continued

58 1 retardation, and developmental disabilities services funds and  
58 2 authorizing levies for the funds; section 331.438, outlining  
58 3 requirements for county mental health, mental retardation, and  
58 4 developmental disabilities services expenditures and joint  
58 5 state=county planning, implementing, and funding; section  
58 6 331.439, requiring county management plans and other provisions  
58 7 regarding county eligibility for state property tax relief and  
58 8 allowed growth funding; section 331.440, providing for creation  
58 9 of the county central point of coordination process and county  
58 10 management of state case services; and chapter 426B, relating  
58 11 to property tax relief funding for the county administered  
58 12 services, risk pool funding, and related provisions.

58 13     The legislative services agency is directed to prepare  
58 14 legislation to conform other Code provisions to the repeals  
58 15 contained in the division.

58 16     The division takes effect upon enactment.

LSB 1319YC (53) 84

tm/jp



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## Senate File 1 - Introduced

SENATE FILE  
BY SCHOENJAHN

### A BILL FOR

1 An Act prohibiting the manufacture, sale, or distribution  
2 of caffeinated alcoholic beverages, making penalties  
3 applicable, and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1181XS (2) 84  
rn/nh



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Senate File 1 - Introduced continued

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1 1 Section 1. Section 123.3, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 8B. "Caffeinated alcoholic beverage" means  
1 4 any beverage containing more than one-half of one percent of  
1 5 alcohol by volume, including alcoholic liquor, wine, and beer,  
1 6 to which caffeine is added.  
1 7 Sec. 2. Section 123.49, subsection 2, Code 2011, is amended  
1 8 by adding the following new paragraph:  
1 9 NEW PARAGRAPH. m. Manufacture for sale, sell, offer or  
1 10 keep for sale, import, distribute, transport, or possess any  
1 11 caffeinated alcoholic beverage.  
1 12 Sec. 3. Section 123.50, subsection 2, Code 2011, is amended  
1 13 to read as follows:  
1 14 2. The conviction of any liquor control licensee, wine  
1 15 permittee, or beer permittee for a violation of any of the  
1 16 provisions of section 123.49, subject to subsection 3 of this  
1 17 section, is grounds for the suspension or revocation of the  
1 18 license or permit by the division or the local authority.  
1 19 However, if any liquor control licensee is convicted of any  
1 20 violation of subsection 2, paragraph "a", "d", ~~or~~ "e", or "m"  
1 21 of that section, or any wine or beer permittee is convicted of  
1 22 a violation of paragraph "a", ~~or~~ "e", or "m" of that section,  
1 23 the liquor control license, wine permit, or beer permit shall  
1 24 be revoked and shall immediately be surrendered by the holder,  
1 25 and the bond, if any, of the license or permit holder shall be  
1 26 forfeited to the division.  
1 27 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
1 28 immediate importance, takes effect upon enactment.  
1 29 EXPLANATION  
1 30 This bill prohibits the manufacturing for sale, sale,  
1 31 offering or keeping for sale, importing, distributing,  
1 32 transporting, or possessing of a caffeinated alcoholic  
1 33 beverage. The bill defines a caffeinated alcoholic beverage  
1 34 as any beverage containing more than one-half of 1 percent of  
1 35 alcohol by volume, including alcoholic liquor, wine, and beer,



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Senate File 1 - Introduced continued

2 1 to which caffeine is added.  
2 2 A violation of the bill's provisions is subject to the  
2 3 penalty provisions of Code section 123.50. A violation  
2 4 constitutes a simple misdemeanor punishable by confinement  
2 5 for no more than 30 days or a fine of at least \$65 but not  
2 6 more than \$625 or by both. The bill additionally provides  
2 7 that a violation shall result in the immediate revocation and  
2 8 surrender of a liquor control license, wine permit, or beer  
2 9 permit, and forfeiture of any required bond to the alcoholic  
2 10 beverages division of the department of commerce.  
2 11 The bill takes effect upon enactment.  
LSB 1181XS (2) 84  
rn/nh



Iowa General Assembly  
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**Senate File 10 - Introduced**

SENATE FILE  
BY SCHOENJAHN and BEALL

**A BILL FOR**

1 An Act authorizing a school district to adopt and implement a  
2 policy addressing sexual abuse of children and establishing  
3 a task force on the prevention of sexual abuse of children  
4 and including effective date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1560XS (3) 84  
kh/sc



**Iowa General Assembly**  
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Senate File 10 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 279.50A Policy to prevent sexual  
1 2 abuse of children.  
1 3 The board of directors of a school district may adopt and  
1 4 implement a policy addressing sexual abuse of children that may  
1 5 include any of the following:  
1 6 1. An age=appropriate curriculum for students enrolled in  
1 7 prekindergarten through grade five.  
1 8 2. Training for school personnel on child sexual abuse.  
1 9 3. Educational information for parents and guardians that  
1 10 may be provided in the school handbook and may include the  
1 11 warning signs of a child being abused, along with any needed  
1 12 assistance, referral, or resource information.  
1 13 4. Available counseling options and resources for students  
1 14 affected by sexual abuse.  
1 15 5. Emotional and educational support for a child of abuse to  
1 16 continue to be successful in school.  
1 17 6. Methods for increasing teacher, student, and parent  
1 18 awareness of issues regarding sexual abuse of children,  
1 19 including but not limited to knowledge of likely warning signs  
1 20 indicating that a child may be a victim of sexual abuse.  
1 21 7. Actions that a child who is a victim of sexual abuse  
1 22 should take to obtain assistance and intervention.  
1 23 Sec. 2. TASK FORCE ON THE PREVENTION OF SEXUAL ABUSE OF  
1 24 CHILDREN.  
1 25 1. A task force on the prevention of sexual abuse of  
1 26 children is established consisting of the following members:  
1 27 a. Four members of the general assembly serving as ex  
1 28 officio, nonvoting members, with not more than one member from  
1 29 each chamber being from the same political party. The two  
1 30 senators shall be appointed one each by the majority leader  
1 31 of the senate after consultation with the president of the  
1 32 senate and by the minority leader of the senate. The two  
1 33 representatives shall be appointed one each by the speaker  
1 34 of the house of representatives after consultation with the  
1 35 majority leader of the house of representatives and by the



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Senate File 10 - Introduced continued

2 1 minority leader of the house of representatives.  
2 2     b. The director of the department of human services or the  
2 3 director's designee.  
2 4     c. The director of the department of education or the  
2 5 director's designee.  
2 6     d. The director of the department of public health or the  
2 7 director's designee.  
2 8     e. The state court administrator or the state court  
2 9 administrator's designee.  
2 10    f. A representative of the Iowa county attorneys  
2 11 association, appointed by the president of that association.  
2 12    g. A representative of the chief juvenile court officers,  
2 13 appointed by the chief justice of the supreme court.  
2 14    h. A representative of a statewide professional teachers'  
2 15 organization, appointed by the president of that organization.  
2 16    i. A representative of a different statewide professional  
2 17 teachers' organization, appointed by the president of that  
2 18 organization.  
2 19    j. A representative of an organization involved in the  
2 20 prevention of child abuse in this state, appointed by the  
2 21 director of the department of human services.  
2 22    k. A representative of an organization representing school  
2 23 administrators in this state, appointed by the president of  
2 24 that organization.  
2 25    1. A representative of an organization representing the  
2 26 boards of school districts in this state, appointed by the  
2 27 director of the department of education.  
2 28    2. Members of the task force shall be individuals who are  
2 29 actively involved in the fields of child abuse prevention  
2 30 covered by child welfare. To the extent possible, appointment  
2 31 of members shall reflect the geographic diversity of the state.  
2 32 The members of the task force shall serve without compensation  
2 33 and shall not be reimbursed for their expenses.  
2 34    3. The director of the department of education, or the  
2 35 director's designee, shall convene the organizational meeting



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Senate File 10 - Introduced continued

3 1 of the task force. The task force shall elect from among  
3 2 its members a chairperson. Meetings shall be held at the  
3 3 call of the chairperson or at the request of two or more task  
3 4 force members. Six members shall constitute a quorum and the  
3 5 affirmative vote of six members shall be necessary for any  
3 6 action taken by the task force.

3 7 4. The department of education shall provide staff support  
3 8 to the task force.

3 9 5. The task force shall consult with employees of the  
3 10 department of human services, the Iowa coalition against sexual  
3 11 assault, the department of public safety, the state board  
3 12 of education, and any other state agency or department as  
3 13 necessary to accomplish the task force's responsibilities under  
3 14 this section.

3 15 6. The task force shall make recommendations for preventing  
3 16 the sexual abuse of children in Iowa. In making those  
3 17 recommendations, the task force shall do the following:

3 18 a. Gather information concerning child sexual abuse  
3 19 throughout the state.

3 20 b. Receive reports and testimony from individuals, state  
3 21 and local agencies, community-based organizations, and other  
3 22 public and private organizations.

3 23 c. Create goals for state policy that would prevent child  
3 24 sexual abuse.

3 25 d. Submit a final report with its recommendations to the  
3 26 governor and the general assembly on or before January 16,  
3 27 2012. The recommendations may include proposals for specific  
3 28 statutory changes and methods to foster cooperation among state  
3 29 agencies and between the state, local school districts, and  
3 30 other local governments.

3 31 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
3 32 immediate importance, takes effect upon enactment.

3 33 EXPLANATION

3 34 This bill authorizes each school district to adopt and  
3 35 implement a policy addressing sexual abuse of children and





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Senate File 10 - Introduced continued

4 1 establishes a task force on the prevention of sexual abuse of  
4 2 children in Iowa.  
4 3     The policy school boards may adopt and implement may  
4 4 include an age=appropriate curriculum for students enrolled  
4 5 in prekindergarten through grade five; training for school  
4 6 personnel on child sexual abuse; educational and other  
4 7 information for parents and guardians; available counseling and  
4 8 resources for students affected by sexual abuse; and emotional  
4 9 and educational support for a child of abuse to continue to be  
4 10 successful in school.  
4 11     Any policy adopted may address without limitation methods  
4 12 for increasing teacher, student, and parent awareness of issues  
4 13 regarding sexual abuse of children, including but not limited  
4 14 to knowledge of likely warning signs indicating that a child  
4 15 may be a victim of sexual abuse; actions that a child who is  
4 16 a victim of sexual abuse should take to obtain assistance and  
4 17 intervention, and available counseling options for students  
4 18 affected by sexual abuse.  
4 19     The task force on the prevention of sexual abuse of children  
4 20 consists of four members of the general assembly serving as ex  
4 21 officio, nonvoting members; the directors of the departments of  
4 22 human services, education, and public health or the directors'  
4 23 designees; the state court administrator or the state court  
4 24 administrator's designee; a representative of the Iowa county  
4 25 attorneys association; a representative of the chief juvenile  
4 26 court officers; a representative of two different statewide  
4 27 professional teachers' organizations; a representative of an  
4 28 organization involved in the prevention of child abuse in  
4 29 this state; a representative of an organization representing  
4 30 school administrators in this state; and a representative of  
4 31 an organization representing the boards of school districts in  
4 32 this state.  
4 33     The members of the task force serve without compensation and  
4 34 shall not be reimbursed for their expenses. The department of  
4 35 education shall provide staff support to the task force.



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Senate File 10 - Introduced continued

5 1 The task force shall consult with employees of the  
5 2 department of human services, the Iowa coalition against sexual  
5 3 assault, the department of public safety, the state board  
5 4 of education, and any other state agency or department as  
5 5 necessary to accomplish the task force's responsibilities.  
5 6 The task force shall make recommendations for reducing child  
5 7 sexual abuse in Iowa and in making those recommendations shall  
5 8 gather information concerning child sexual abuse throughout the  
5 9 state; receive reports and testimony from individuals, state  
5 10 and local agencies, community-based organizations, and other  
5 11 public and private organizations; create goals for state policy  
5 12 that would prevent child sexual abuse; and submit a final  
5 13 report with its recommendations to the governor and the general  
5 14 assembly on or before January 16, 2012. The recommendations  
5 15 may include proposals for specific statutory changes and for  
5 16 methods to foster cooperation among state agencies and between  
5 17 the state, local school districts, and other local governments.  
5 18 The bill takes effect upon enactment.

LSB 1560XS (3) 84

kh/sc



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## Senate File 2 - Introduced

SENATE FILE  
BY JOHNSON

### A BILL FOR

1 An Act relating to reduction or termination of visitation based  
2 upon repeated willful failure to pay support.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1184SS (3) 84  
pf/nh



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Senate File 2 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 598.23B Willful failure to  
1 2 pay support == repeated contempt citations == reduction or  
1 3 termination of visitation time.  
1 4 If a person against whom an order or decree for support has  
1 5 been entered pursuant to this chapter or chapter 234, 252A,  
1 6 252C, 252F, 600B, or any other support chapter, or a comparable  
1 7 chapter of a foreign jurisdiction, willfully fails to make  
1 8 payments or provide medical support pursuant to that order  
1 9 or decree, and is repeatedly cited and punished by the court  
1 10 for contempt under this or any other chapter, the court may  
1 11 order modification of the visitation provisions of the order or  
1 12 decree to reduce or terminate visitation time with the child.

1 13 EXPLANATION

1 14 This bill provides that if a person against whom an order  
1 15 or decree for support has been entered willfully fails to make  
1 16 payments or provide medical support pursuant to the order or  
1 17 decree and is repeatedly cited and punished by the court for  
1 18 contempt, the court may order modification of the visitation  
1 19 provisions of the decree or order to reduce or terminate  
1 20 visitation time with the child.

LSB 1184SS (3) 84

pf/nh



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## Senate File 3 - Introduced

SENATE FILE  
BY KETTERING

### A BILL FOR

1 An Act increasing the speed limit on certain primary roads.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1451XS (1) 84  
dea/nh



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Senate File 3 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.285, subsection 2, paragraph a, Code  
1 2 2011, is amended by adding the following new subparagraph:  
1 3 NEW SUBPARAGRAPH. (4) Sixty miles per hour on a primary  
1 4 road.

1 5 EXPLANATION

1 6 This bill increases the speed limit from 55 to 60 miles  
1 7 per hour on primary roads other than certain divided,  
1 8 multilaned highways with a speed limit of 65 miles per hour and  
1 9 interstates, which have a speed limit of 70 miles per hour.  
1 10 The state department of transportation retains the authority to  
1 11 lower the speed limit on any part of the primary road system.

LSB 1451XS (1) 84  
dea/nh



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## Senate File 4 - Introduced

SENATE FILE  
BY HANCOCK

### A BILL FOR

1 An Act providing volunteer fire fighters and emergency medical  
2 services personnel with an individual income tax credit and  
3 including effective date and applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1592XS (3) 84  
tw/sc



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Senate File 4 - Introduced continued

PAG LIN

1 1 Section 1. Section 422.12, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 2A. a. A volunteer fire fighter and  
1 4 volunteer emergency medical services personnel credit equal to  
1 5 the amount specified in paragraph "b" to compensate the taxpayer  
1 6 for the voluntary services.  
1 7 b. The amount of the credit is equal to the following:  
1 8 (1) For tax years beginning in the 2012 calendar year,  
1 9 twenty=five dollars.  
1 10 (2) For tax years beginning in the 2013 calendar year, fifty  
1 11 dollars.  
1 12 (3) For tax years beginning in the 2014 calendar year,  
1 13 seventy=five dollars.  
1 14 (4) For tax years beginning in the 2015 and subsequent  
1 15 calendar years, one hundred dollars.  
1 16 c. If the taxpayer is not a volunteer fire fighter or  
1 17 volunteer emergency medical services personnel for the entire  
1 18 tax year, the amount of the dollar credit shall be prorated  
1 19 and the amount of credit shall equal the maximum amount of  
1 20 credit for the tax year, divided by twelve, multiplied by the  
1 21 number of months in the tax year the taxpayer was a volunteer.  
1 22 The credit shall be rounded to the nearest five dollars. If  
1 23 the taxpayer is a volunteer during any part of a month, the  
1 24 taxpayer shall be considered a volunteer for the entire month.  
1 25 If the taxpayer is a volunteer fire fighter and a volunteer  
1 26 emergency medical services personnel during the same month, a  
1 27 credit may be claimed for only one volunteer position for that  
1 28 month.  
1 29 d. The taxpayer is required to have a written statement  
1 30 from the fire chief or other appropriate supervisor verifying  
1 31 that the taxpayer was a volunteer fire fighter or volunteer  
1 32 emergency medical services personnel for the months for which  
1 33 the credit under this subsection is claimed.  
1 34 e. For purposes of this subsection:  
1 35 (1) "Emergency medical services personnel" means an emergency





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Senate File 4 - Introduced continued

2 1 medical care provider, as defined in section 147A.1, who is  
2 2 certified as a first responder pursuant to chapter 147A.  
2 3 (2) "Volunteer fire fighter" means a volunteer fire fighter  
2 4 as defined in section 85.61 who has met the minimum training  
2 5 standards established by the fire service training bureau  
2 6 pursuant to chapter 100B.

2 7 Sec. 2. EFFECTIVE DATE AND APPLICABILITY. This Act takes  
2 8 effect January 1, 2012, for tax years beginning on or after  
2 9 that date.

2 10 EXPLANATION

2 11 This bill provides a nonrefundable individual income tax  
2 12 credit for an individual who was a volunteer fire fighter who  
2 13 has met the minimum training standards or certified volunteer  
2 14 emergency medical services personnel for the entire tax year.  
2 15 The credit is to compensate the individual for the volunteer  
2 16 services. The amount of the credit equals \$25 for the 2012 tax  
2 17 year and increases by \$25 for each subsequent tax year until  
2 18 the credit equals \$100. If the individual was not a volunteer  
2 19 for the entire tax year, the amount of credit is prorated based  
2 20 upon the months of volunteer service. A credit may be claimed  
2 21 for only one volunteer position per month.

2 22 The bill takes effect January 1, 2012, for tax years  
2 23 beginning on or after that date.

LSB 1592XS (3) 84

tw/sc



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## Senate File 5 - Introduced

SENATE FILE  
BY JOHNSON

### A BILL FOR

1 An Act providing a sales tax exemption for the sale of horses.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
   TLSB 1096SS (5) 84  
   tw/sc



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Senate File 5 - Introduced continued

PAG LIN

1 1 Section 1. Section 423.3, subsection 14, Code 2011, is  
1 2 amended to read as follows:  
1 3 14. The sales price from the ~~sales of horses, commonly known~~  
~~1 4 as draft horses, when purchased for use and so used as draft~~  
~~1 5 sale of~~ horses.

1 6 EXPLANATION

1 7 Currently, Iowa law only exempts the sale of draft horses  
1 8 from the sales tax. This bill exempts all sales of horses from  
1 9 the sales tax.

1 10 By operation of Code section 423.6, an item exempt from the  
1 11 imposition of the sales tax is also exempt from the use tax  
1 12 imposed in Code section 423.5.

LSB 1096SS (5) 84

tw/sc



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
January 10, 2011

## Senate File 6 - Introduced

SENATE FILE  
BY JOHNSON

### A BILL FOR

1 An Act exempting the sales price for the use of self-pay  
2 washers and dryers from the sales tax.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TL5B 1105SS (2) 84  
tw/sc



**Iowa General Assembly  
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Senate File 6 - Introduced continued

PAG LIN

1 1 Section 1. Section 423.3, Code 2011, is amended by adding  
1 2 the following new subsection:

1 3 NEW SUBSECTION. 96. The sales price for the use of a  
1 4 self=pay washer or dryer.

1 5 EXPLANATION

1 6 This bill exempts the sales price for the use of self=pay  
1 7 washers and dryers from the sales tax.

1 8 By operation of Code section 423.6, an item exempt from the  
1 9 imposition of the sales tax is also exempt from the use tax  
1 10 imposed in Code section 423.5.

LSB 1105SS (2) 84

tw/sc



Iowa General Assembly  
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## Senate File 7 - Introduced

SENATE FILE  
BY JOHNSON

### A BILL FOR

1 An Act providing for a .08 blood alcohol limit for motorboat or  
2 sailboat operating while intoxicated offenses.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1078SS (2) 84  
rh/nh



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Senate File 7 - Introduced continued

PAG LIN

1 1 Section 1. Section 462A.14, subsection 1, paragraph b, Code  
1 2 2011, is amended to read as follows:

1 3 b. While having an alcohol concentration of ~~.10~~ .08 or more.

1 4 EXPLANATION

1 5 This bill lowers the current .10 blood alcohol limit for  
1 6 motorboat or sailboat operating while intoxicated offenses to  
1 7 .08.

LSB 1078SS (2) 84

rh/nh



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**Senate File 8 - Introduced**

SENATE FILE  
BY JOHNSON

**A BILL FOR**

1 An Act relating to motor fuel, including ethanol blended  
2 gasoline and biodiesel fuel, by limiting the liability of  
3 retail dealers.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1151SS (3) 84  
da/nh





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Senate File 8 - Introduced continued

PAG LIN

1 1 Section 1. NEW SECTION. 214A.20 Retail dealers ====  
1 2 limitation on liability.  
1 3 1. A retail dealer is not liable for damages caused to a  
1 4 motor by the use of incompatible motor fuel dispensed at the  
1 5 retail dealer's retail motor fuel site, if all of the following  
1 6 applies:  
1 7 a. The incompatible motor fuel complies with the  
1 8 specifications for a type of motor fuel as provided in section  
1 9 214A.2.  
1 10 b. The incompatible motor fuel is selected by a person other  
1 11 than the retail dealer, including an employee or agent of the  
1 12 retail dealer.  
1 13 c. The incompatible motor fuel is dispensed from a motor  
1 14 fuel pump that correctly labels the type of fuel dispensed.  
1 15 2. For purposes of this section, a motor fuel is  
1 16 incompatible with a motor according to the manufacturer of the  
1 17 motor.

1 18 EXPLANATION  
1 19 This bill amends Code chapter 214A, which provides for motor  
1 20 fuel, including gasoline or ethanol blended gasoline, E=85  
1 21 gasoline, diesel fuel, and biodiesel fuel. The bill provides  
1 22 that a retail dealer is not liable for damages caused to a  
1 23 motor by the use of an incompatible motor fuel (e.g., the use  
1 24 of E=85 gasoline in a conventional gasoline-powered motor).  
1 25 The bar against liability depends upon the satisfaction  
1 26 of certain conditions: (1) the motor fuel must meet legal  
1 27 specifications, (2) the retail dealer cannot have selected  
1 28 it for use in the motor, and (3) the dispensing pump must be  
1 29 correctly labeled.

LSB 1151SS (3) 84  
da/nh



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## Senate File 9 - Introduced

SENATE FILE  
BY SCHOENJAHN

### A BILL FOR

1 An Act concerning registration plates issued for business=trade  
2 trucks and special trucks, and including applicability date  
3 provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 1150XS (6) 84  
dea/nh



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Senate File 9 - Introduced continued

PAG LIN

1 1 Section 1. Section 321.120, subsection 3, Code 2011, is  
1 2 amended to read as follows:

1 3 3. Upon approval of the application and payment of  
1 4 the proper fees, the county treasurer shall issue regular  
1 5 registration plates for the ~~vehicle which distinguish the~~  
~~1 6 vehicle as a business=trade truck.~~ The department may adopt  
1 7 rules requiring the use of a sticker or other means to identify  
1 8 motor vehicles registered under this section.

1 9 Sec. 2. Section 321.121, Code 2011, is amended by adding the  
1 10 following new subsection:

1 11 NEW SUBSECTION. 1A. Upon approval of the application  
1 12 and payment of the proper fees, the county treasurer shall  
1 13 issue regular registration plates for the special truck. The  
1 14 department may adopt rules requiring the use of a sticker or  
1 15 other means to identify motor vehicles registered under this  
1 16 section.

1 17 Sec. 3. PHASED=IN ELIMINATION OF BUSINESS=TRADE TRUCK AND  
1 18 SPECIAL TRUCK PLATES.

1 19 1. It is the intent of the general assembly that the owners  
1 20 of business=trade trucks and special trucks have access to  
1 21 any of the specialty registration plates issued under section  
1 22 321.34 under the same terms and conditions that apply to owners  
1 23 of other motor vehicles under that section.

1 24 2. By January 1, 2012, the department of transportation  
1 25 shall discontinue the practice of issuing business=trade truck  
1 26 registration plates and special truck registration plates,  
1 27 and shall instead provide regular registration plates for new  
1 28 business=trade truck and special truck registrations. Current  
1 29 requirements and fees for business=trade truck and special  
1 30 truck registrations continue to apply. In conjunction with the  
1 31 transition to the issuance of regular registration plates for  
1 32 business=trade and special trucks, the following registration  
1 33 practices shall apply:

1 34 a. Except as provided in paragraph "b", current owners of  
1 35 vehicles with business=trade or special truck plates shall



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Senate File 9 - Introduced continued

2 1 continue to use those plates until ownership of the vehicle is  
2 2 transferred or until a new series of Iowa registration plates  
2 3 is issued by the department of transportation.

2 4 b. The owner of a motor vehicle with current business=trade  
2 5 truck plates or special truck plates may elect to be issued  
2 6 specialty plates in lieu of the current registration plates for  
2 7 the vehicle, subject to the terms and conditions applicable  
2 8 under section 321.34.

2 9 c. The owner of a motor vehicle being registered for the  
2 10 first time as a business=trade truck or special truck may elect  
2 11 to be issued specialty plates in lieu of regular registration  
2 12 plates, subject to the terms and conditions applicable under  
2 13 section 321.34.

2 14 Sec. 4. APPLICABILITY. This Act applies for registration  
2 15 plates issued during registration periods beginning on or after  
2 16 January 1, 2012.

2 17 EXPLANATION

2 18 Under current law, a motor truck that qualifies for  
2 19 business=trade truck registration fees or special truck  
2 20 registration fees is issued registration plates which  
2 21 are specially designed to distinguish the vehicle as a  
2 22 business=trade truck or a special truck. As a consequence  
2 23 of this requirement, the owner of a business=trade truck  
2 24 or special truck for farm use is not eligible for any of  
2 25 the special registration plates for which the owner might  
2 26 otherwise qualify. This bill provides the option of applying  
2 27 for specialty plates for trucks with business=trade or special  
2 28 truck registrations.

2 29 The bill requires the department of transportation to  
2 30 discontinue the issuance of business=trade and special truck  
2 31 registration plates with a distinguishing design on or before  
2 32 January 1, 2012. The department may provide by rule for  
2 33 another means of identifying business=trade trucks and special  
2 34 trucks for enforcement purposes.

2 35 Under the bill, most current owners of trucks which have



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3 1 already been issued business=trade or special truck plates  
3 2 shall continue to use those plates until ownership transfers or  
3 3 the department of transportation issues a new series of Iowa  
3 4 registration plates. However, an owner may elect to trade  
3 5 current business=trade or special truck plates for any of the  
3 6 specialty plates for which the owner qualifies, subject to the  
3 7 additional fees applicable for the specialty plates. An owner  
3 8 who applies for a new registration of a business=trade truck or  
3 9 special truck will have the option to choose specialty plates  
3 10 or be issued regular registration plates.  
3 11 Current requirements and fees for business=trade and special  
3 12 truck registrations are not affected by the bill. The bill  
3 13 is applicable for plates issued during registration periods  
3 14 beginning on or after January 1, 2012.

LSB 1150XS (6) 84

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